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PIKE'S PEAK FROM PEAK VIEW

SEMI-CENTENNIAL HISTORY
OF THE
STATE OF COLORADO

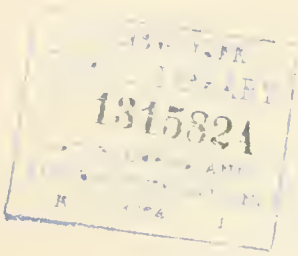
By
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VOLUME I

THE LEWIS PUBLISHING COMPANY
CHICAGO NEW YORK
1913



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PREFATORY NOTE

Of the contents of the first volume of this History of Colorado, Chapter XXIV, on the subject of Mining in Colorado, is by Mr. W. F. R. Mills, of Denver. Chapter XXV, on Colorado Agriculture, is by Prof. Walter H. Olin, of Denver. Chapter XXVI, on Irrigation in Colorado, is by Hon. Frank C. Goudy, of Denver. Chapter XXVII, on the Live-stock Industry in Colorado, is by Mr. Fred P. Johnson, of Denver. Chapter XXIX, on Colorado Legislation, is by Hon. Robert S. Morrison, of Denver. Chapter XXX, on Colorado Jurisprudence, is by Hon. Wilbur F. Stone, of Denver, and formerly one of the Justices of the Supreme Court of Colorado. Chapter XXXI, on the Medical Profession in Colorado, is by Dr. L. E. Lemen, of Denver. The other Chapters are by Jerome C. Smiley, of Denver.

The contents of the second volume, the text of which consists of biographies of citizens of Colorado, were acquired exclusively by representatives of the publishers.

Some preference is given, in the first volume, to the history of Colorado's Territorial Period; and also, but in lesser extent, to that of the Pike's Peak Country and adjacent sections in times before Colorado came into existence.

The annals of Colorado are colored strongly by the elements of romance, and in many of their parts they are as picturesque in degree as are the physical features of the country that forms the domain of the State. These qualities are reflected often and often in our pages of narratives of the great variety of historical facts that pertain to the origin, rise, and progress of the Commonwealth.

J. C. S.

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History of Colorado

CHAPTER I.

FORE-HISTORY OF THE LAND OF COLORADO.—ITS ASSOCIATIONS WITH A SPANISH PAST.—ANTIQUITY OF SPANISH EXPLORATIONS OF PARTS OF THE STATE.—NEW SPAIN IN NORTH AMERICA.—EXTENT OF SPANISH DISCOVERY RIGHTS.—INTRUSION BY THE FRENCH AND THEIR CLAIMS TO THE MISSISSIPPI BASIN.—ENGLISH COLONIAL PRETENSIONS TO TERRITORY IN THE FAR WEST.—BEGINNING OF SPANISH HISTORY OF OUR SOUTHWEST.—ADVENTURES AND WANDERINGS OF CABEZA DE VACA AND HIS COMPANIONS.—EXCITEMENT CAUSED IN MEXICO BY HIS ACCOUNTS OF THE NORTHERN COUNTRY.—GUZMAN'S ATTEMPT TO EXPLORE IT.—PRELIMINARY EXPLORING EXPEDITIONS DESPATCHED BY VICEROY MENDOZA.—MARCOS DE NIZZA AND THE PUEBLO OF ZUÑI.—CORONADO'S EXPEDITION INTO THE NORTH.—HIS MARCH TO QUIVIRA AND RETURN THROUGH SOUTHEASTERN COLORADO.—FATHER PADILLA'S VENTURE TO QUIVIRA.—MOSCO'S MARCH INTO THE SOUTHWEST.—THE HUMANA EXPEDITION AND ITS FATE.—OÑATE'S COLONIZATION OF NEW MEXICO.—ZALDIVAR'S EXCURSION INTO COLORADO.—OÑATE'S EXPEDITION INTO NORTHEASTERN NEW SPAIN.—HIS SECOND ADVANCE INTO THAT SECTION.—SPANISH ROVERS OF THE PLAINS IN THE SEVENTEENTH CENTURY.—PEÑALOSA'S EXCURSION TO QUIVIRA.—SPANIARDS DRIVEN FROM NEW MEXICO.—THEIR RETURN.—NEW SPAIN MENACED BY FRENCH SETTLEMENTS.—OPERATIONS OF SPANISH TRADERS.—VALVERDE'S EXPEDITION.—CALAMITOUS ENTERPRISE OF VILLASUR.—SPANIARDS IN THE FAR NORTH.—UNCERTAINTIES AS TO PARTICULARS OF SPANISH EXPLORATIONS.—RIVERA AND ESCALANTE IN WESTERN COLORADO.—NEW SPAIN AT THE CLOSE OF THE EIGHTEENTH CENTURY.—COLORADO UNDER SPANISH RULE.—PIONEER MEXICAN SETTLEMENTS UPON SOIL OF THE STATE.

In many of its historical associations, as well as by its name, the Commonwealth of Colorado is linked to a Spanish Past that had its origin not far from four centuries ago. The beginning of the recorded Fore-history of the State's domain lies in years in which men who had seen Christopher Columbus still were living and not yet old. Spaniards, who had entered the present continental area of the American Union by way of the back door, trod upon soil of Colorado more than forty years before an Englishman had set foot upon the Atlantic Coast of the United States; and some later Spanish pioneers, who had likewise come from Mexico, penetrated far into the land of our State almost a decade prior to the founding of the first permanent English settlement in America.

Of the various jurisdictions, the earlier of which practically were nominal until after the middle of the eighteenth century, that have been projected over all or parts of the territory that is now embraced by the boundaries of Colorado, the first was that of "Nueva España." In its

original extent, New Spain in North America, as defined by mapmakers in the sixteenth century, covered an immense empire, which included the present Mexico and spread out over the country west of the Mississippi River until it faded into "parts unknown" and "regions unexplored" in the far North and Northwest. Spain's title to New Spain rested in general upon the "discovery claims" she had set up in the first half of that century to all that she desired to take and hold in the New World, and in particular upon explorations made by her people. Alvarez de Piñeda had discovered the Mississippi in 1519, naming it "Rio del Espiritu Santo"; and within twenty-five years thereafter parts of our Arizona, New Mexico, Texas, Louisiana, Arkansas, Oklahoma, Kansas, and Colorado were traversed by Spanish explorers. East of the lower Mississippi lay "Florida," which encompassed not only the areas of our States of South Carolina, Georgia, Florida, Alabama, and Mississippi, but was shown upon sixteenth-century maps as extending far toward the latitude of the Ohio River. So, when the pioneer English settlements upon the eastern edge of what is now the United States were established, about four-fifths of the present continental territory of the Union was Spanish domain, according to the then prevailing theory of "discovery rights."

These Spanish "rights" in New Spain and Florida were not seriously menaced until toward the close of the seventeenth century. Some Frenchmen had sailed up the St. Lawrence River to the site of Montreal in 1534; and shortly afterward others of their countrymen attempted to found a settlement at a point farther down on that river, but soon abandoned it. The religious wars in which the French now became engaged at home delayed the rise of their "New France," in the valley of the St. Lawrence, until the early years of the next century. In the last quarter of that hundred, the Sieur de la Salle, who had entered the Illinois country by way of the St. Lawrence and the Great Lakes, descended the Mississippi River to its mouth. Here, on April 9, 1682, with elaborate and pious ceremonies and pompous formal utterances, he took possession, in the name of his king and for his country, of the Great River, of all the streams that discharged into it, and all the lands through which they and their affluents flowed from their farthestmost sources; thus laying claim to the entire drainage-basin of the Mississippi, extending from the summit of the Alleghanies to that of the Rocky Mountains. He then caused to be written an "instrument," in which the circumstances of the voyage were recited, and which was signed by all the members of his company; and after a discharge of guns, buried a leaden plate upon which were engraved the Arms of France and a legend in Latin stating, in the name of his king, that he and his companions had navigated the Great River from the Illinois country to its mouth, and had made this plate on April 9, 1682. La Salle named the vast region, of which he had thus taken possession, "Louisiane," in honor of his sovereign, Louis XIV.

New France now nominally embraced approximately one-half of the present area of the United States proper, and included a large part of Colorado's soil. Although Spain denied, and continued to deny, the validity of La Salle's acts and the right of France to any part of the country lying west of the Mississippi, and also to any part of "Florida," the French held their Louisiane until past the middle of the following century, when, by a secret treaty consummated in November, 1762, they gave up their in-

terests in it by ceding it to Spain, by which act the Great River again became the easterly and northeasterly boundary of New Spain—or, as the Spanish domain in our Southwest now was commonly called, "New Mexico."

But for a period long before that transfer was made, several of the English colonies upon our Atlantic Coast independently had asserted their right, under their respective charters from their king, to all the territory between their limits of latitude out to the "Western Ocean," however far away that sea might be. These pretensions, first raised in times when no Englishman yet had seen the Alleghany Mountains, were arrayed upon nearly every English map of America produced prior to the middle of the eighteenth century. Accordingly, Pike's Peak was in Virginia's country, although the only eyes of white men that had beheld it when that colony first laid claim to territory in which our stately and historic landmark stands, and for long after, were those of Spanish pioneers who had come from Mexico.

Spanish history of the land that is now the southwestern quarter of the United States begins with the remarkable experiences and adventures in it of the Spanish nobleman, Alvaro Nuñez Cabeza de Vaca, and his three companions, Andres Dorantes, Alonzo del Castillo Maldonado, and a North African negro named Estevanico (Stephen), who were the first Europeans to tread upon its soil. Excepting a prisoner held by Indians east of the Mississippi, these men were the sole survivors of the calamitous expedition of Panfilo de Narvaez into the Florida country in 1528, and of which De Vaca was the Treasurer. After wandering and floundering for several months through forests and swamps, De Narvaez struck the northern coast of the Gulf of Mexico not far east of the Mobile Bay. Here five rude boats were built, and the company embarked in them, about fifty men in each, to make the harbor of Panuco, well down on the Mexican coast of the Gulf. The little fleet kept close to the shore until it came to the mouth of the Mississippi, the strong current of which swept the boats out to sea, where the crazy vessels were separated. But two, one of which was in De Vaca's charge, ever were heard of again. These, becoming reunited, were driven westward along the coast to a point supposed to be at or near the vicinity of the Galveston Bay, where, late in October, they were cast ashore by storm-raised waves. Some of the men were drowned in the surf, and shortly afterward a violent sickness broke out among the rest, and which left but fifteen alive. Of these, only De Vaca and the three others named above ever again were seen by white men.

De Vaca was held a drudging prisoner by an Indian tribe in the locality of the landing-place for several years, and then escaped into the interior, where presently he fell in with Dorantes, Maldonado, and Stephen, who had gone thither from the coast not long after the two boats had been thrown upon its beach. The four castaways resolved to attempt, defenseless as they were, to find their way to Spanish settlements in Mexico; and with this purpose fixed in mind they tramped slowly from tribe to tribe of Indians, frequently being detained for months in the villages of the savages. No one knows for certain the course they took, but it seems that they roamed near to the southwestern corner of the present State of Oklahoma and then turned southwesterly. At length they reached the western coast of Mexico, where they encountered a prowling band of their countrymen. These furnished them with guides to Spanish settlements, farther south on the

coast, and from which they proceeded to the City of Mexico, where they arrived in July, 1536, nearly eight years since the breakers had tumbled them upon the coast of Texas.

Some modern writers have said that De Vaca and his comrades entered the land of Colorado by way of the Arkansas River, and went into New Mexico through the Raton Pass. But this is far beyond all probability. Others have held, with a fair array of circumstantial evidence to sustain their conclusions, that the wanderers moved west from their farthest northing and crossed central New Mexico to the western border of that Territory before turning to a southward course. Still others, among whom is a writer of high authority, insist that the worn travelers crossed the Rio Grande far enough below El Paso for their route to that stream to have kept them outside the bounds of New Mexico. While there is considerable elbow-room for opinions where much uncertainty is conceded to exist, none of those who have studied De Vaca's narrative have found in it a reason for assuming that he and his fellow-heroes reached any place farther north than the latitude of Santa Fé.

But whatever may have been their haphazard way, these men were the first Europeans to penetrate any part of the wide expanse of plains and mountains that constitutes our Southwest, and the first to describe the character and customs of any of its native people. No story of hardship and adventure more remarkable than the leader's account of their long and wearisome journey ever was told.

De Vaca was hailed by his countrymen in Mexico as one risen from the dead, for it had been supposed that every man of the three hundred who had gone with De Narvaez had perished. His account of the country he had traversed, and his repetition of what its Indians had told him of other parts of the region, stimulated Spanish imagination to the highest pitch. He was sent to Spain forthwith, there to recite his narrative in the most exalted quarters. The wildest tales as to fabulous opulence in the mysterious northern lands soon were afloat among the Spaniards in Mexico. It was recalled that Cortes, in days following the conquest, had heard of a great and rich nation far to the north, that was ruled by powerful Amazons who possessed vast wealth.

About seven years before De Vaca's arrival at the City of Mexico, Nuño de Guzman, then President of the Audiencia, the administrative and judicial board which had conducted the affairs of government in New Spain since the return of Cortes to the mother country, was told by one of his servants, a Téjos Indian, a marvelous story about golden cities that existed in the far-north region. The Indian said he had been to seven of these cities "once or twice" with his father, who had been a trader in wares made of feathers. According to his account, the cities were as large and fine as the City of Mexico, and abounded with gold and silver, a great many of their people being workers in these metals. Although they were far beyond a very bad land, the Indian was confident that he could guide a company of Spaniards to them, and thought the journey could be made in about forty days of travel. The tale inspired Guzman with an ambition to be the first explorer of this golden empire, and in the year 1530 he marched from the City of Mexico at the head of some four hundred enthusiastic Spanish cavaliers and, as the old Spanish story runs, about twenty thousand Mexican Indians, to find and plunder the seven rich cities, taking the Téjos

Indian to show him the way. Moving northwestward, Guzman passed through the country bordering upon the eastern shore of the Gulf of California until he was far into the limits of the modern Mexican State of Sonora. But having found his progress hampered by greater difficulties than he had anticipated, and as "some of the rich men who were with him, who had possessions in Mexico, every day became more anxious to return," he turned back at the Yaqui River. Upon his retreating march, he halted in the "district of Culiacan" and there founded the town of Culiacan (in the modern Mexican State of Sinaloa). When, a few years later, that territory became the Province of New Galicia, in which Culiacan was the first settlement, Guzman was made its Governor.

At the time De Vaca and his companions appeared in the City of Mexico, Don Antonio de Mendoza was Viceroy of all New Spain, and he had been for about two years; and Francisco Vasquez de Coronado, a gallant young Spanish nobleman, who had crossed the sea as a member of Mendoza's retinue, was in the Viceroy's service. When Mendoza heard De Vaca's story, he thought he saw another Peru in the strange country of which the wanderer told, and perhaps even richer in gold and silver. He resolved to have the region explored, but as some months of time would be required for assembling and equipping a force adequate to its conquest, he decided to send a scouting party to spy out the land before an army should advance to subdue and occupy it.

But it was not until the spring of 1538 that the first of Mendoza's scouts were despatched to prospect the alleged opulent cities in the distant North. These were two Franciscan friars, Juan de la Asuncion and Pedro Madal. With several attendants, they penetrated the country as far as the Gila River, in Arizona, where they lost heart and abandoned the purpose of their mission. Not discouraged by their failure, Mendoza determined to send another party, under the leadership of a more experienced and resolute man than either of these. His choice of a captain for the second attempt fell upon Marcos de Nizza, also a Franciscan, who had been in Peru with Pizarro.

Early in 1539, in company with De Vaca's negro companion, Stephen, several northern Indians who had accompanied De Vaca to the City of Mexico, and in the meantime had been taught a little Spanish, and Onorato, a lay brother of his order, Marcos set out upon his long march into the wilderness of the North. Coronado, now Governor of New Galicia, escorted the friar and his company as far as Culiacan, from which the latter departed on March 7th. Shortly afterward, sickness caused Onorato to fall out and return to Culiacan. The others pushed onward, and were joined by many Indians through whose country they passed. Presently, Stephen, with a large band of the natives, was sent forward as an emissary by Marcos, with instructions to report by messengers as the Franciscan followed him. The beginning of June found the leader and his Indian attendants upon the border of the "Land of Cibola"—the "buffalo country"—in which the seven rich cities were understood to be situated. Here he received the dismaying news that Stephen had been killed.

The dauntless negro and his band of Indians had made their way to a great pueblo, the ruins of which still may be seen near the Pueblo of Zuñi, in the western part of our Territory of New Mexico. Upon his near approach he was warned by its inhabitants to come no closer, else they would

kill him. But the negro went boldly among them, and a few days later his conduct became so exasperating to the people that they put him to death. Some of his Indian associates escaped, and one of them hastened to Marcos with tidings of Stephen's fate. But the brave friar resolved not to turn back until he had had a glimpse of the "city" in which the negro had perished. With several of his Indian companions he advanced cautiously, and at length came to an eminence from which he obtained a distant view of this "City of Cibola," at which he gazed in wonder. Marcos went no farther, but his imagination soared as he traveled homeward. Although he had seen but little, he told much upon his return to the settled parts of Mexico. The exaggerated versions of De Vaca's story, and the tale of the Téjós Indian told to Guzman, seemed to be fully confirmed by the reports he gave out. Marcos thought the "city" he had seen to be larger than the City of Mexico; he assumed that its inhabitants were civilized and rich; "they use vessels of gold and silver," he said, "for they have no other metal, whereof there is greater use and more abundance than in Peru."

The friar's fancies, which were taken for truth, threw all of Spanish Mexico into a fever of excitement. One of the seven great and opulent cities in the North had been seen and its wealth ascertained; the others remained to be discovered. Every Spanish adventurer in the country thought of the ship-loads of gold and silver plunder that had been taken in Peru, and therefore active preparations eagerly were begun for the immediate invasion of this new land of treasure.

Viceroy Mendoza had determined to grasp the prizes of discovery and conquest at once, and within a month after the return of Marcos, in the autumn of 1539, was engaged in equipping and otherwise providing for a military exploration of the northern field of promise, "sparing neither pains nor expense to insure the success of the expedition," of which he appointed Francisco de Coronado, the young Governor of New Galicia, Captain-General.

I shall not attempt to enter upon the particulars of the extraordinary achievements and adventures of Coronado and his cavaliers during the first year of their operations, as we are more concerned here with what they did in the second. On February 23, 1540, the leader marched from Compostella, in New Galicia, with Friar Marcos and three other Franciscans, 260 Spanish cavaliers, seventy Spanish footmen, more than a thousand servants and Mexican Indians, six small pieces of artillery, and 1,000 horses carrying baggage, supplies and ammunition; and entered what is now the southeastern corner of Arizona near the end of spring. The remainder of that year was occupied in subduing the Pueblo Indians and in explorations, the following winter finding the battered troop on the Rio Grande, at or near the place where the village of Bernalillo now stands. The year had been one of bitter disappointment. Instead of the magnificent Seven Cities, rich in golden plunder, only forbidding and poverty-stricken pueblos, inhabited by hostile red men living a life of barbarism, had been found. Instead of a fair land flowing with milk and honey, the way of the invaders had been for the most part over rugged mountains and dreary wastes. The splendid dream had not yet come true.

But Coronado still had hope. A plains Indian, probably a Pawnee, who had become separated from his people and was an inmate of the Pécos

Pueblo—the “Cicuye” of these Spaniards—some fifty miles to the northeast of Bernalillo’s site, held out to him another golden lure. This crafty savage, whom the cavaliers called “the Turk,” from his fancied resemblance in appearance and dress to the male subjects of the Sultan, told the Spanish leader that he was a native of a fine country a thousand miles to the northeast, in which a grand city, wherein gold and silver were the most common of everyday things, was situated, and that he could lead the way to this wonderful metropolis. Again Spanish imagination was set aflame. The army must march to the capital of this flourishing land of “Quivira,” and with the city’s portable wealth be compensated for past disappointments.

The march thither began on April 21, 1541, with the Turk for a guide, and with every man in the army elated by the glorious prospects of fame and fortune. It has been surmised by some that reasons in addition to those that grew out of the Turk’s story were influential in persuading Coronado to this chase of a rainbow; but if so no one knows what they were. The army proceeded from the Rio Grande to the Pecos Pueblo, and thence northward by east to a river, which had to be bridged, and which doubtless was the southerly branch of the Canadian, the crossing-place probably being just below the Mora’s confluence with that stream. After passing the Canadian, the Spaniards continued on a northeasterly course for ten days, and on the tenth first met Indians of the plains. Of this stage of the march, Captain Juan Jaramillo, one of Coronado’s officers, says in his narrative written some years later, that “we turned more to the left hand, which would be more to the northeast, and began to enter the plains where the cows [buffalos] are, although we did not find them for some four or five days. . . . We found Indians among these first cows, who were, on this account, called ‘Querechos’ [a name suggestive of ‘Apaches’] by those in the flat-roof houses” [the Pueblo Indians]. . . . We went on for eight or ten days in the same direction, along those streams which are among the cows.”

Many have been the opinions and discussions as to the northing made by Coronado when on this part of his outward march, but it is not likely that the question ever will be determined to the satisfaction of everybody. Moving more to the northeast from the Canadian crossing at an average rate of no more than twelve miles a day would have led them into the far-southeastern part of our State; and it seems probable, if not certain, that, in the fresh enthusiasm born of the Turk’s story, they would have made a daily distance exceeding twelve miles. General James H. Simpson, of the United States Army, whose name is a familiar one in the history of early American explorers of the Southwest, and who gave much study to the operations of its Spanish pioneers, carried the line of Coronado’s march from the Canadian nearly due north to a point half-way between that river and the Arkansas, and then turned it eastward by north, a route that leads into southeastern Colorado.

But however this may have been, the Turk, when the little army was on “those streams which are among the cows,” diverged from the northeasterly course, which he said led directly to his country, and guided the Spaniards eastward for a few days, and then bore southeastward. On the 35th day of the movement, the expedition halted at the village of another tribe of plains Indians, to whom the narratives give the name of “Teyans,”

and who probably were Comanches. Here it was computed—evidently rather loosely—that the army had traveled 250 Spanish leagues (650 miles) from the wintering-place on the Rio Grande. It is believed that the Spaniards now were on the North Fork of the Canadian River, in what was recently Oklahoma Territory, not far east of the 100th meridian. But the estimate of the distance traveled since leaving the Rio Grande, even after allowing for a considerable northing into the southeastern corner of our State, would have put them at some distance farther southeast than this point on the North Canadian. Therefore it would seem that the computation had produced an exaggerated result.

Jaramillo tells that among the Indians at this place "an old blind man with a beard gave us to understand, by signs which he made, that he had seen four others like us many days before, whom he had seen near there and rather more toward New Spain." In these the Spaniards at once recognized Cabeza de Vaca and his three companions.

At this village Coronado held a council with his officers, at which it was decided that the main body of his travel-worn force should go no farther in the search for Quivira, but return to the wintering-place on the Rio Grande, while he and thirty of his best-equipped horsemen should continue in the attempt to reach the golden city. So the reduced little army started back to Tiguex—as the Spaniards called the pueblo at the site of Bernalillo—taking a direct route westward, under the guidance of several of the Teyan Indians who were familiar with the country. As the daily movement was made slow and short, it was the middle of July before the weary and discouraged men reached their destination. It appears that nothing of importance occurred on the march nor while the army awaited the backcoming of its intrepid commander and his comrades.

Coronado and his thirty cavaliers, together with a Franciscan friar named Juan de Padilla, and guided by Teyan Indians, "rode north by the needle," taking the Turk, who was now gravely suspected of treachery, with them a prisoner in chains. About a month later, on the day of Saints Peter and Paul, they "came to a large river," which they named for the two saints. Crossing to its north bank, the party followed the course of its current, "the direction being northeast," and after several days' riding turned northward. Obviously, this river was the Arkansas, and the point at which they struck it appears to have been at or near the fording-place of the Santa Fe Trail, of long-after times, and from which the river flows northeastwardly for about seventy-five miles, where it begins to bend southeastwardly—thus forming the "Great Bend." Jaramillo states explicitly that after fording the river the party marched in the direction of its flow, which was to the Northeast. Forty-two days from the time they had separated from the army, and "after traveling across these deserts for seventy-seven days in all," as Coronado wrote, they arrived at Quivira.

Here the leader and his band of heroes found the dregs of bitter disappointment. Instead of a fine and wealthy city, rich in the precious metals, they entered an ordinary village of prairie Indians, supposed to have been Pawnees, who cultivated some patches of corn, but depended chiefly on the herds of buffalos for their food. The Spaniards remained in this locality twenty-five days, when, after having garroted the lying Turk, they set out, with several Quivira Indians as guides, upon their return to the Rio Grande,

going by "a straighter way," which was about two-thirds as long as that of the outward march. They retraced the course by which they had come from the River of Saints Peter and Paul, and when they reached its northward bank "turned more toward the West," "taking the right hand." Proceeding in that direction, they at length entered the country in which they had met with the Quirechos, and where the Turk had diverged from the direct path to Quivira. Thence they rode on to the Rio Grande, by way of the Pecos Pueblo, rejoining the army, at Tiguex, on the 20th of October (1541). Of some of the circumstances of this journey, Jaramillo says:

"We took five or six of the Indians from these villages [of Quivira] to lead and guide us to the flat-roof houses [the pueblos of the Rio Grande country]. Thus they brought us back by the same road as far as where I said before that we came to a river called St. Peter and St. Paul's, and here we left that by which we had come [the outgoing route], and, taking the right hand, they led us along by watering places and among cows and by a good road, although there are none other either one way or the other except those of the cows [buffalo paths], as I have said. At last we came to where we recognized the country, where I said we found the first settlement [the Querechos' village], where the Turk led us astray from the route we should have followed. Thus, leaving the rest aside, we reached Tiguex, where we found the rest of the army."

It seems evident that these daring men, when on this march, forty-nine years after Columbus first saw land of the New World, crossed the southeastern part of Colorado. Jaramillo's account of the journey makes it appear probable that they followed the Arkansas to the mouth of the Purgatory River and rode up the valley of the latter. The apparent familiarity of the Quivira guides with the route by which they led the Spaniards to the flat-roof houses would seem to imply that it was an established way from their country to the pueblos on the Rio Grande, and their course up the Arkansas plainly indicates that the route led across the southeastern section of our State.

Coronado and his men remained at Tiguex through the following winter, and in April started upon their weary way back to the capital of New Spain. The leader was disconsolate over such an ending of his long and toilsome expedition, and cast down by the prospective effect of his failure to accomplish anything of importance would have upon his fair fame. Before leaving Tiguex, he had a fall from his horse and was seriously injured. Some of his officers thought that this mishap had unbalanced his mind. When Coronado met Mendoza, the Viceroy received him coldly, and he soon found himself discredited by others in authority. As he sank into undeserved obscurity, nothing certainly is known of his subsequent career. It has been said that he died in Mexico, within eight or ten years after his return from the North, and when he was still in the prime of life.

Nothing certain is known of the location of Coronado's Quivira. He said it was "950 leagues" (about 2,470 miles) distant from the City of Mexico by the route he traveled, and was situated in latitude 40 degrees (the north line of the State of Kansas), but he gave no longitude. Some writers have endeavored to show that he went as far as the Missouri River, in the vicinity of the present city of St. Joseph; while others have thought that his course from the Arkansas was nearly north. However, the weight

of opinion is that the outward wanderings ended somewhere in the neighborhood of the site of Junction City, Kansas.

The Quivira myth lingered long in the minds of men, and even the foremost geographers were loath to give it up. It appears upon both French and English maps of the country west of the Mississippi made as late as two hundred and fifty years after Coronado's time. The name is written upon nearly all the early French charts, but is set down at various places between the longitude of eastern Kansas and the Pacific Coast. There are, also, many references to it in old Spanish chronicles, in which, as on the French and English maps referred to, it is sometimes an appellation of a section of country, and sometimes that of a "city." Upon a French map produced in 1752, and which I shall again have occasion to mention, the name is, perhaps with "prophecy-vision," that of an imagined metropolis which is located in latitude and longitude very nearly that of the city of Denver; and upon an English map of North America, published in the year 1765, Quivira is a town in the western part of what is now our Territory of Arizona.

Early in the spring of 1542, when the dejected and empty-handed Coronado was making preparations for the gloomy march homeward, Father Juan de Padilla, who had accompanied him to Quivira, resolved that he would return to that country and consecrate the remainder of his life to missionary work among the Indians. So he went back, but only to sacrifice himself for his faith. The Quivira guides, who had conducted Coronado and his thirty cavaliers to the Rio Grande, had spent the winter with the Spaniards at Tiguca; and as they were now to return to their own people, the devoted friar arranged to accompany them. When the army began the march homeward, Padilla, with Andres de Campo (a Portuguese) and three Mexican Mayas, an Indian of Coronado's command, each of whom had volunteered for the service, set out with the Quivira Indians in the opposite direction, taking "some sheep and mules and a horse and ornaments and other trifles." The route traveled by this mixed little company was the same as that by which the Quivira Indians had come. Charles F. Lummis, in his *Spanish Pioneer*, a work that received the emphatic approval of a high authority, says the party "went by way of the Pueblo of Pecos, thence into and across a corner of what is now Colorado." I think there can be no reasonable doubt as to the truth of this statement, which strongly supports the conclusion that Coronado, also, traversed that section of our State when upon his homewarding from Quivira.

Father Padilla soon met his fate. When he and his companions arrived in the Quivira country they found some of its Indians hostile, and the friar was killed by savages whom he had hoped to serve. According to the Spanish account of the expedition, Campo and the Mexican Indians made their escape and wandered the region of the Southwest for eight years, finally reaching the Spanish settlement of Tampico, on the Mexican coast of the Gulf of Mexico, where they told of the tragic ending of Padilla's mission and of their wanderings hither and thither before they trudged into that primitive community.

In 1542-43, Luis Moscoso de Alvarado, leading the ragged remnant of the Spanish force with which Hernando de Soto had undertaken his unfortunate expedition into Florida, drifted far into the northern land of New Spain, about a year after Coronado went to Quivira. When De Soto, who

The same sentence in Hebrew is found in the Targumim, it is well known to be well attested at a very remote time. The final form of the sentence, however, is impossible. How can we account for this form when the two forms just quoted above are known to be authentic and well attested representations? How can we explain, without going to the very heart of the language, very simply that this sentence was the source and that the others were the consequence of a common error which very soon took the form of the final one? We go to the heart of the matter by following Christ's usage. Showing there is nothing wrong but only a slight variation in form and meaning, the use of *hithpa'el* here, instead of *hithpa'el* here, that the Targumim have to do with *hithpa'el* here, and the *hithpa'el* of the Targumim of the Targumim of the Targumim. How the *hithpa'el* form was changed to *hithpa'el* in the Targumim of the Targumim of the Targumim.

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the Indians who had them kept standing upon the tops of their tepees, in full confidence that they were "good medicine" for keeping off all sorts of bodily and other afflictions.

The utterly barren results of Coronado's exploits, and the dismal tales told by the survivors of Moscoso's march into the West, discouraged Spanish enterprise in the direction of the far-north country until after about forty years had elapsed. Several excursions then were made into our New Mexico-Arizona region, but nothing effective was accomplished toward founding a settlement in it until near the close of that century.

Among these fruitless adventures—if the accounts of it be true—was that of Francisco Leyva Boñilla, a Portuguese captain in Spanish service in New Spain, in or near the year 1595, with a force said to have consisted of about ninety Spaniards and some Mexican Indians. Boñilla had been directed by the Governor of New Viscaye to punish a tribe of depredating Indians on the frontier of the northern Spanish settlements in Mexico. According to one version of the story, he was authorized then to go on into the far North to search for Quivira, should his command be in condition for so long a march; but another has it that his Quivira enterprise was "a rebellious act." At that time, fresh rumors of people of great wealth living somewhere in that distant region again were in circulation among the Spaniards in Mexico, and therefore Boñilla hoped to find and pillage some of these rich strangers.

After having attended to the case of the insubordinate Indians, Captain Boñilla moved on to the valley of the Rio Grande, in New Mexico, where six of his men refused to go farther. But the Captain with the rest of his command pushed forward, and were next heard from when they were upon the plains and searching for Coronado's Quivira. Here, Boñilla was killed in a quarrel with Juan de Humaña, his chief under-officer, who then took charge of the expedition, which is supposed by some already to have passed through southeastern Colorado into the plains of southwestern Kansas. Shortly afterward, the party came to a broad river, probably the Arkansas, and which was at so high and swift a stage that it had to be crossed on rafts of logs. At this river, three Mexican Indians deserted, one of whom, named José, or Jusepé, made his way to the Pueblo of Picuvis, between the sites of Taos and Santa Fé, and whose people adopted him. Several years later, this Indian served as a guide to another Spanish expedition into the northeastern country.

The story goes on to tell that after crossing the broad river Humaña moved on in quest of Quivira, and at length, when he and his men were encamped at a place where the growth of grass and rushes was tall and rank, they were beset by a horde of Indians, who fired the grass on all sides of them. As the hazy record runs, only one Spaniard, Alonzo Sanchez, together with a half-breed Indian girl, escaped death—the two being made prisoners. They were adopted by the attacking Indians, and Sanchez, from whom the story of the massacre was said to have come, became a great chieftain among his captors.

As the treasury of New Spain now had been closed against financial aid to further expeditions into the disappointing northern wilds, Juan de Oñate, of Zacatecas, contracted late in the year 1595 with Viceroy Velasco to plant a colony on the upper reaches of the Rio Grande at his own expense—a bargain that cost him eventually a sum exceeding a round million

of our dollars. But as there was much delay in obtaining from higher authority the necessary confirmation of the agreement, Oñate did not set forth upon his mission until nearly three years later. Leaving Zacatecas early in January, 1598, with eight or ten Franciscan friars, two hundred soldiers and about as many colonists with their families, together with herds of cattle and flocks of sheep, Oñate entered the Rio Grande Valley, probably at the site of El Paso, in the after-part of April. Here, on April 30th, he formally took possession of the country in the name of the King of Spain—the sixth performance of that ceremony since the year 1539. The company then moved up the valley by easy stages to a locality about thirty miles above the site of Santa Fé. Here, about the close of August, Oñate founded the town of "San Gabriel de los Españoles," at the confluence of the Rio Chama with the Rio Grande. When the "Colonizer"—as he became known in the early history of New Mexico—halted here, Plymouth Rock was an unknown boulder, and there was no Jamestown, nor even an English cabin in the New World. San Gabriel was the second town established by white men in all the present area of the United States: St. Augustine, Florida, having preceded it by thirty-three years. Seven years later, Oñate founded Santa Fé—the City of the Holy Faith of St. Francis.

Three or four weeks after Oñate had laid the foundation of San Gabriel, he sent his nephew, the valiant Juan de Zaldivar (though some have said it was Juan's brother, Vicenté,) with fifty cavaliers, to explore the country beyond the Sangré de Cristo Range. While but little certainly is known of this exploit, it is believed that Zaldivar reached the plains from our San Luis Valley, by way of the Sangré de Cristo Pass, and went northward along the foot-hills as far as the locality of the city of Denver.

It appears that at or near the end of his northing he came to a large stream flowing out of the mountains, and to which he gave the name "Rio de Chato"—"Flat River," or "Flattish River": an appellation having the same meaning as the determinative word in the present name of the South Platte River, and which, as we shall see in the second chapter of this volume, was applied to the lower, or main, Platte by Frenchmen nearly one hundred and fifty years after Zaldivar's time. As it would seem that the character of the Arkansas in its course adjacent to the foot-hills would hardly have suggested the application of such a name to that stream, and as there was none other of considerable width until the South Platte was reached, I believe it to be a fact that Zaldivar visited the locality of Denver, and that his Rio de Chato was our South Platte, the shallowness of which in proportion to its breadth prompted the Spanish explorer to bestow that name upon it. This stream now is greatly attenuated by the drains from it to meet requirements of irrigation, but in and before our pioneer period it was truly a river, and in the ordinary stages of its flow sprawled over a bed of far greater width than that which it occupies at present.

Zaldivar returned to San Gabriel after an absence of about eight weeks. He discovered traces of the Bonilla-Humana expedition; and it is probable that he had encountered serious trouble somewhere in the course of his exploration, as he then had but thirty men in condition for immediate further duty.

In addition to the knowledge of the country to the northward of his settlement that he derived from Zaldivar's expedition, Oñate, in his frequent ransackings here and there from San Gabriel, had become familiar with our San Luis Valley by the close of that century; and meanwhile his colony had been strengthened by several contingents of recruits from Mexico. He and his people were credited with having found gold in the valley at that time—a matter to which I shall return in another chapter.

In the year 1601, Oñate, with two Franciscan friars and a mounted company of eighty men, left San Gabriel to explore the northeastward region farther than Zaldivar had gone. Having found at the Pueblo of Picuvis the Mexican Indian, José, who had been with Humaña's ill-starred expedition, Oñate took him along as a guide. It has been said that one of the Colonizer's purposes in this enterprise was to learn certainly the fate of Humaña and his men. In one of the Spanish accounts it is stated that Oñate, in his five months of absence from San Gabriel, went to the "River of the North" and to the great "Lake of Conibas," on the bank of which was seen "afarre off a citty 7 leagues long and above 2 leagues broad," the market-place being so strongly fortified that the Spaniards dare not attack. Some modern writers have it that Oñate marched northward to the South Platte River and followed it into the present State of Nebraska, whence he proceeded eastward to the land of Quivira, in which he saw evidence of an abundance of gold. It was also told that he brought away from that country an Indian who possessed much knowledge of the yellow metal and of methods of mining and refining it. This savage metallurgist afterward was sent to the City of Mexico, where he excited great interest. As the story further runs, Oñate discovered the scene of the destruction of Humaña and his company. Somewhere on his route—no one pretends to know where—he came to a place which was strewn with pieces of armor, scraps of iron, horseshoes, and bones of horses. The presence of these relics is said to have convinced the Colonizer that this was the spot whereon the unlucky Humaña and his band had been annihilated.

Six years later, Oñate, who in the meantime had been to the head of the Gulf of California with a squad of his heroic followers, again explored the Great Plains. But of this adventure nothing is known beyond the fact that he and his cavaliers rode far into the Northeast and returned. This remarkable man passed from public view in 1608, when he was superseded by Pedro de Peralto, the second Governor of the Spanish colonies on the Rio Grande.

Through the seventeenth century, down to 1675, expeditions frequently were made by small parties of Spaniards in almost every direction from the settlements in the Rio Grande Valley, and Pike's Peak became a familiar landmark to many of these rovers, who usually prowled on horseback, but sometimes on foot. Most of them were inspired partly by hope of finding gold and partly by sheer love of adventure. However, some went forth to trade with the Indians. When the two noted Frenchmen, Louis Joliet and Father Jacques Marquette, descended the Mississippi River to the mouth of the Arkansas, in 1673, they found the Acansea Indians, who were lodged at that point, in possession of European hatchets, knives, and trinkets. While these weapons and ornaments might have come from English or French sources, it is far more probable that they had been derived from Spaniards of New Mexico.

But after Oñate's second expedition, no far-distant exploration of the Northeast was undertaken until 1662, when Don Diego Dionisio de Peñalosa, haunted by the Quivira myth, is said to have marched into the country in which Coronado had expected to find it a reality. According to the tale that has come down, Peñalosa, who had been appointed Governor of New Mexico two years before, left Santa Fé early in March with four Spanish officers and eighty soldiers, 1,000 Pueblo Indians, 800 horses, 300 mules, six small cannon, and thirty-six wagons and carts carrying ammunition and other supplies. He was also accompanied by two Franciscan friars, one of whom, Nicholas de Freytas, became the historian of the expedition. Nicholas' bombastic account of it is such a mess of extravagant exaggerations and absurdities that it has but little, if any, historical value. At first, he says the army proceeded east from Santa Fé for about five hundred miles, "to a large river which they called 'Mischipi,'" but afterward speaks of Quivira as being northeast of New Mexico's capital. Peñalosa entered the Quivira country about the middle of June, and the first of its villages seen by the army is magnified by Father Nicholas into the "great City of Quivira . . . so large and of so great a population that we could not reach the end in two days: . . . the shape of the buildings for the most part is round, two, three, and four stories." The friar says nothing of the return route. There are some weighty reasons for doubting whether any such expedition ever was undertaken by Peñalosa; and also for believing that Father Nicholas' narrative is entirely a fabrication, based upon Oñate's advance to the Quivira country in 1601.

By the year 1680, there was a strand of Spanish settlements along the Rio Grande stretching from the Taos Valley in the North to Socorro in the South, a distance of some two hundred miles by the river's flow. The rearing of cattle and sheep was the principal industry of most of the people, but mining for the precious metals had attained a fair development, although its results doubtless have been much overestimated by some modern writers. The heavier part of the labor in the mines was done by Pueblo Indians in a state of slavery. In August of that year came the organized and bloody uprising of the Pueblo communities, confederated to drive the foreigners out of their country. The Spaniards were unprepared for the revolt, and within two weeks all who had not been massacred were in flight afoot—men, women, and children—down the valley toward El Paso. By the first day of September not a Spaniard was left alive on the upper Rio Grande, while the towns had been wrecked and the torch applied to their ruins.

But the Spaniards of that age were not men who gave up. After two failures by others to reconquer the land with scarcely more soldiers than our average militia company numbers, Don Diego de Vargas, with about one hundred and fifty men of war and some colonists, succeeded in 1693-94, but not without fighting as desperate as ever occurred upon this continent. So the seventeenth century went out leaving the Spanish flag flying over the northern parts of historic New Spain.

In the dawn of the eighteenth century a graver menace to Spanish authority in that immense domain arose. French settlers, who had landed on the Gulf Coast, near where the city of New Orleans stands, in 1699, now were being strengthened by additions to their number and obtaining a strong foothold upon the southwestern border of Spanish Florida. In the

North, upon the eastern bank of the Great River, in what is now the southern part of the State of Illinois, other French communities had been established. The Sieur de la Salle, who, with a band of his countrymen, had canoed his way down the Mississippi to its mouth in the spring of 1682, and then and there claimed for his country all the lands drained by that noble stream and its vast network of tributaries, had come from France in the winter of 1684-85 with some ship-loads of colonists and made the beginning of a settlement upon the Gulf Coast at a place about one hundred miles southwest of the site of the present city of Galveston. That venture had come to grief and was abandoned within three years, but the later settlements gave every promise of becoming permanent, and of resulting in French control of the easy highway into the interior of the continent afforded by the Mississippi and its affluents.

With the incoming of the new century, Spanish traders and other adventurers from the colonies on the upper Rio Grande appear to have increased in number and to have extended the field of their operations. For reasons which I shall mention in another chapter, the probabilities that some of these rovers discovered copper in Montana, before the year 1705, are almost the equivalent of a certainty; and it is known that Spanish traders were among the red people dwelling on the upper Arkansas River, in the plains country, as early as 1710. Before 1715, the Kaskaskia tribe of Illinois Indians had come into possession of Spanish horses, which had been passed to them from Indians of the great prairies in the West; and soon afterward a report was brought to the French settlement of Kaskaskia by French explorers of the Missouri River that a tribe living "500 leagues" up that stream lately had been fighting a band of Spanish adventurers. About that time, some silver-bearing ore, which was understood to have been carried into the neighborhood of the Missouri River by Spanish traders was used by French sharpers to "salt" an alleged mine of that metal in Illinois. A year or two later, Spanish traffickers who had been in eastern Kansas reported to Antonio Valverde y Cosío, who was then *ad interim* Governor and Captain-General of New Mexico, that they had crossed French tracks. It had been told in the French settlements on the Mississippi, in the year 1711, that some Frenchmen who had gone from Biloxi, near the mouth of that river, two years before, had ascended the Arkansas River to its source.

In 1719 Governor Valverde drew the sword against such inroads upon the domain of his sovereign. A force of one hundred and five of his countrymen and thirty Pueblo warriors, with Father Juan Piño as chaplain, was sent from Santa Fé in September to deal first with the unruly Comanches and then to hunt for French intruders and compel them to withdraw from Spanish territory. After crossing the Sangre de Cristo Mountains at some point not far from Santa Fé, the route taken by the expedition was northward along the eastern base of the range. At the "Rio Napestle," evidently the Arkansas, the command was joined by a party of Apache allies, several members of which bore unhealed gun-shot wounds received from Frenchmen and some of the latter's Pawnee partisans. Valverde believed that his little army advanced farther north than any previous Spanish organization had gone. Justin Winsor, in his recently-published *Mississippi Basin*, says it moved on northward to the South Platte, in Colorado, and, following the course of that stream eastward, "went as far as any Spaniards



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yet had been." But the enterprise was barren of important results, and it appears that if there were any Frenchmen then in the region which Valverde's army patrolled they managed to keep well out of sight.

As French explorers and traders continued to prowl in the valleys of the Missouri, Platte, and Arkansas rivers, another military force, of about two hundred cavaliers, and which, according to French accounts, was accompanied by a large concourse of colonists, set out from Santa Fé in the year 1720, under the command of Captain Pedro Villasur, to establish an outpost upon the Spanish frontier in the Northeast. The French in Illinois, whose traders had given them timely warning of the movement, thought the ultimate destination of this bold enterprise to be their Fort Chartres, on the Illinois side of the Mississippi, about sixty miles, by the river's course, below the site of the city of St. Louis. Du Mont de Montigny, who relates in his *Memoires Historiques sur La Louisiane* many particulars of the tragic fate that befell this undertaking, says "their caravan was composed of 1,500 people—men, women, and soldiers—having with them a Jacobin for a chaplain, and bringing also a great number of horses and cattle, according to the custom of that nation to forget nothing that might be necessary for a settlement. Their design was to destroy the Missouris [the Missouri tribe of Indians, who were friendly to the French] and seize upon their country." This is the first Spanish expedition that is certainly known to have traversed the entire distance from Santa Fé to the Missouri River.

The Spanish plan was to form an alliance with the Pawnees, who were then at war with the Missouris, and have them join Villasur in an exterminating attack upon the latter. But by some mischance, or through ignorance of the country, the Spaniards encountered the Missouris first; and, as the story runs, supposing them to be the Pawnees, began negotiations with them for their coöperation in a scheme that was intended to work their destruction. Quickly realizing the Spaniards' mistake, the shrewd Missouri chieftains assented, and Villasur's people fell into the trap. Three days later, the Missouris, who had now been joined by many other Indians, suddenly raised the war-cry and annihilated their stranger-enemies. It has been surmised that the whole affair was instigated and arranged by the French in Illinois, and that the Missouris deceived the Spaniards by pretending to be Pawnees. Du Mont tells that the attack was made at daybreak by "two thousand savages, divided into several bands," and that "in less than a quarter of an hour all the caravan was murdered; no one escaping the massacre except the chaplain, whom the barbarians saved because of his dress; at the same time they took possession of all the merchandise and other effects which they found in their camp." The same writer says that about six months later the priest, mounted upon a fleet horse, made his escape and "took the road to Mexico, where doubtless he arrived." Father Charlevoix, in a letter written from Kaskaskia in June, 1721, says that of the Spaniards "almost all were drunk and fast asleep" when the attack was made, and that "it is certain that the greater part of them were killed," but mentions the escape of the chaplain in the manner related by Du Mont.

It is probable that Villasur's expedition followed from Santa Fé to the Arkansas River the route taken by Valverde's raiders, and went eastward along the course of that historic stream to the apex of its great bend, and thence marched northeasterly across eastern Kansas. His appears

to have been the last Spanish military movement against the French in the northeastern border of New Spain, and it seems that French explorers and traders for years thereafter were permitted to continue their operations upon Spanish territory in that quarter without opposition more serious than occasional official protests.

Spanish excursions in other directions from the settlements on the Rio Grande continued to be made, and some went far into the North. The Mandan Indians, on the Missouri River, in the western part of what is now the State of North Dakota, told the French explorer, Verendrye (the elder), in 1738, that "at a day's journey off there were white men who always rode horses, and wore clothes of metal when fighting." It is obvious that these were armored Spaniards from the Rio Grande, who no doubt had traversed the full extent of eastern Colorado from south to north.

The uncertainties as to the particulars of the various expeditions from the Rio Grande into the farther parts of New Spain by Spanish pioneers in the Southwest, and as to the outs and ins of the routes they traveled, largely are due to the indifference of the Spanish people of that age to geographical records. Unlike the French, the old-time Spaniards had no fondness for mapmaking, and therefore Spanish maps of countries in the New World produced in the period of discovery and exploration were but few, and very inaccurate. The better charts of the New Spain of the sixteenth and seventeenth centuries are the work of Italians, who drew them partly from Spanish reports, partly from other sources of information, and partly from imagination. But these afford us no enlightenment as to the particulars referred to above. Most French explorers carefully gathered data for maps of the regions they visited, including records of latitudes and longitudes, but among the surviving Spanish accounts of expeditions into the country west of the Mississippi by Spaniards we have scarcely more than rambling narratives, in which we are told how many leagues were believed to have been marched, and how long the adventurers were absent, yet rarely containing anything concerning latitudes and longitudes, or definite references to conspicuous landmarks or other landscape features by which the courses taken might be identified.

Several of the early expeditions by Spaniards into the region north and northeast of their settlements on the upper Rio Grande are known only by later allusions to them. While it is not likely that a definite report in detail was made of the course taken by any of these, it is probable that some account of each was written, and that they would be of much historical value now. But the records of pioneer Spanish operations in our Southwest have suffered great losses. When the Pueblo Indians revolted and drove the Spaniards out of New Mexico, in 1680, they destroyed everything that might remind them of their oppressors: and the archives went with the rest. The wear and tear, accidents, carelessness and neglect of after-times doubtless made way with many important historical documents. Since New Mexico became United States territory the work of American vandals has added greatly to the losses, and in which two Governors of the Territory, who were in authority soon after the close of our Civil War, made themselves conspicuous. One of these has been charged with having shipped to Europe several barrels filled with musty and time-worn written books and documents there to be sold to whomsoever cared to buy them, and to have been responsible for the wanton destruction of many more. Of the other of this

pair of "officials," it has been alleged by an authority of the first rank, that "having despaired of disposing of the immense mass of old documents and records by the slow process of using them to kindle fires, sold the entire lot as junk—an invaluable collection of material bearing on the history of the Southwest and its early European and native inhabitants." As no thorough examination of the New Mexican archives by skilled students of history yet had been made, no one knows how many valuable records of the past were lost by these astounding acts of vandalism.

In the middle years of the eighteenth century, there was developed at Santa Fé much interest in the region that is now the San Juan section of Colorado. As it was reported, or assumed, that the precious metals existed there, some small parties of Spaniards, at the instance of Governor Capuchin, went on prospecting expeditions into the locality of the Rio San Juan's headquarters at that time. But the earliest known extended exploration of that quarter of Colorado for any purpose was made in 1761 by Juan Maria Rivera, in company with Joaquin Lain, Pedro Mora, Gregorio Sandoval, and several others. These men spent three or four months in prospecting that section for gold and silver and in seeking to determine the value and general character of its mineral deposits. After entering and examining the district drained by the upper reaches of the Rio San Juan and its easterly affluents, and where, according to the common understanding of the expedition's results, they found some of the more precious of the two metals, the party moved on westward to the Rio la Plata, on which the prospecting was continued. Leaving this stream, Rivera and his companions went northward into the valley of the Gunnison River, down which they made their way to a place a short distance below the union of its main forks, from which locality they returned to Santa Fé. So far as there is any known record, they were the first white men who visited the Gunnison Valley.

Some twelve years later, Father Junipero Serra, then in general charge of the Spanish missions in Upper California, the first of which was established in 1769, urged the ecclesiastic and the civil authorities at Santa Fé to locate a route from the capital of New Mexico into that part of the Pacific coast-region in which his missions were situated. Nothing was done toward complying with Serra's request until 1776, when Father Francisco Silvestre Velez Escalante, Ministro Doctrinero of Zuñi, was appointed to lead an expedition to California for that purpose. Accompanied by Father Atanacio Dominguez, who was Visitador Comisario of New Mexico; Pedro Cisneros, the Alcalde Mayor of Zuñi; Bernardo Miera y Pacheco, Capitan Miliciano of Santa Fé; Joaquin Lain, who had been with Rivera, and was now to serve as a guide; and five soldiers—Lorenzo Oliveras, Lucrecio Muñiz, Andres Muñiz, Juan de Aguilar, and Simon Lucero, Escalante set out from Santa Fé upon this long and toilsome exploration on July 29th.

Taking a northwesterly course, the explorers entered the west-southern border of what is now our Archuleta County, and encamped on the Rio de San Juan at a point "three leagues" below the mouth of the Navajo on August 5th, naming the place in honor of "Nuestra Senora las Nieves." Proceeding west by north, the party crossed several of the San Juan's northerly affluents, giving them names that are still retained—"Rio Piedra," "Rio de los Piños," "Rio Florida," and "Rio de los Animas." The reader is reminded that another of Colorado's streams bears a form of the last-

named appellation, the Rio las Animas, or Purgatory, being a tributary of the Arkansas. Our explorers named the easterly extension of La Plata Range "Sierra de la Grulla," and La Plata River "Rio de San Joaquin." Escalante says in his narrative that in the cañon of La Plata were the mines for which Governor Capuchin's prospectors were seeking, and from which La Plata Range, believed to be silver-bearing, received its name. The westward march was continued to the Rio Mancos. Escalante's "Rio de San Lazaro," where the party "heard reports of mines."

From the Mancos the explorers moved north by west to the Rio Dolores, and while on that stream saw ruined habitations of men high up in its left bank. They gave names to several places and localities along their march down the Dolores—"Asuncion," "Agua Tapada," "Cañon Agua Escondida," "Miera Labarinto"—in honor of the Capitan Miliciano—, and "Ancon San Bernardo." A small tributary of the Dolores, at the last-named place, was termed by the leader "Paralíticas," in consequence of having there encountered three paralytic Ute squaws. Near this point, the explorers passed from the cañon of the Dolores into the Gypsum Valley, or "Cajon del Yeso," a name that it still bears. Ascending to the top of a mesa, they went "six leagues" northeasterly to their next halting-place, which they named "San Bernabé." Another six leagues led them through a cañon to the San Miguel River, which they called "Rio de San Pedro." Places at which they encamped while on this stream were named "San Luis," "San Felipe" (where they found more reminders of Rivera's prospecting), and "Fuente de la Guia." Leaving the San Miguel, they traversed the "Canada Honda" (probably the present "Uncompahgre Park") and made camp at "Ojo de Lain," so named in honor of Joaquin Lain, the guide. The party now had reached the Uncompahgre River (rendered "Ancapagari" by Escalante), which was rechristened "Rio de San Francisco." Escalante gave the distance traveled from the San Miguel to this point as "twenty-four and one-half leagues," an estimate that implies a long detour while on the way to the Uncompahgre. From this river the party moved north by east, the first station on this part of the course being named "San Augustin," and reached the Gunnison River, after "ten leagues" from Uncompahgre, a short distance below the confluence of its North and South Forks. The Indians' name for the Gunnison at that time was "Tomichi," but in place of this Escalante substituted "Rio de San Javier." Rivera had been in this locality, and had cut the figure of a cross in the rocky face of a bluff a little farther down the Gunnison.

The party now proceeded up the Gunnison and its North Fork. At a distance of "four leagues" in a northeasterly direction the explorers came to a small stream to which was given the name "Rio de Santa Rosa"; and presently to another, which they called "Rio de Santa Moniea," and which appears to have been the north branch of the Gunnison's North Fork. Marching up the course of this stream, they came to a branch to which they applied the name "Rio de San Antonio Martir," and which has been known in modern times as Divide Creek. To the two buttes, North Mam and South Mam, they gave the appellations of "San Silvestre" (honoring Escalante) and "Nebuncari"; and to the present Mam Creek that of "Rio de Santa Rosalia." Crossing the summit of the Elk Range by way of the head of the San Antonio Martir, the party descended into the valley of our Grand River, upon which stream Escalante bestowed the name "Rio de San

Rafael." Continuing upon a northwesterly course from the Grand, the explorers struck the White River, called by them the "Rio de San Clemente," about where it crosses the Colorado-Utah boundary, arriving there on September 9th, after having been upon their journey upward of two months, and having traveled "eighty-six and one-half leagues" since leaving the Rio Dolores. They had in the meantime seen two worn paths; and Escalante mentions one of these, which had been crossed near the Santa Rosalia, as being a more direct route from the Gunnison River to the Grand than the one by which the party had come.

The explorers now passed into the territory of the present State of Utah, and took a course westward that led them to Utah Lake. Here they turned south by west upon a route by which they reached the Sevier River, skirted the eastern shore of Lake Sevier, and went on to a point on the Virgin River at or near the west-southern boundary of the present Washington County, Utah. While upon this part of the journey, the leaders decided to abandon the remainder of their original purpose and return to Santa Fé. Their homeward course was through the northern border of Arizona to the Rio Colorado, thence southeasterly to the present western line of New Mexico, and thence east by north to the New Mexican capital.

Though this expedition did not accomplish all that it had set out to do, it was, for that period and under the circumstances and conditions of the time, a remarkable undertaking, in which Fathers Escalante and Dominguez presented another example of the courage and devotion to duty that were characteristic of their order in whatever its members were called upon to perform. Escalante's name still is retained in several places in western Colorado, but the more fittingly in its application to the great range of mountainous hills in the northwestern section of the State.

The trail between Santa Fé and Los Angeles, as it was established some years later, coursed through the far-southwestern part of Colorado for a distance of about one hundred and fifteen miles, entering the area of the State where the Rio Piedra crosses the southern boundary and passing out at a point about thirty miles north of the State's southwestern corner.

In this period, the Mississippi River formed, as I have mentioned heretofore, the eastern boundary of New Spain's domain in the North; and, aside from England's rather flimsy pretensions to ownership in the Oregon country, the Spanish nation was master, in theory, at least, of the immense empire lying west of the Great River. The treaty of peace made between England and France in the year 1763 deprived the French of all their authority and of every acre of their territory on the continent of North America, and left the entire present area of the United States proper divided between the English and Spanish crowns. In the year 1800, by a treaty, of which the other nations of Europe, and the United States as well, were kept in ignorance at the time, for reasons that were best known by the parties to the bargain, Spain returned to France all the territory that the latter had ceded to her by their treaty of 1762, which was made while negotiations for peace between England and France were pending. Three years later, France sold all this territory to the United States. However, these proceedings left Spain still in possession of about one-half of Colorado's area. When Mexico rebelled and became an independent nation, late in the first quarter of the nineteenth century, her flag displaced that of Spain in the Rocky Mountain region. The Republic of Texas joined

the family of nations some fifteen years later, with claims to more than half of the present New Mexico, to about two-fifths of the land of Colorado, and to a small part of the present Wyoming: and to which she was holding when annexed to our Union of States. The results of our war with Mexico set the northern frontier of that country back nearly to its present place, and made the undisputed part of the Colorado area United States territory. In 1850, for a large money consideration from the United States Treasury, Texas gave up her claims to the northwesterly extension of her domain and accepted her present boundaries.

During the entire period of Spanish domination in the Southwest, no permanent Spanish settlement was established upon Colorado soil. It has been said that in the later part of the eighteenth century a small military outpost, apparently intended to guard the easterly approach to the Sangré de Cristo Pass, was maintained for some years on the Huerfano (Orphan) River, about half-way up to the sources of that stream. But no traces of its site have been discovered.

It seems that two small and apparently temporary hamlets of Mexicans—probably colonists on the Vigil and St. Vrain land-grant, which was made to those men in 1843—existed on the Purgatory River some miles above its mouth, before our war with Mexico. Evidently these were the “settlements” that became known a few years later as “Los Juntas.” Remains of old ditches that doubtless were for irrigation purposes, and also of what appeared to be foundations of small buildings, that were seen in our pioneer times at several places on the Arkansas River, below the site of our city of Pueblo, and of which some still survive, have been considered as relics of a far earlier Spanish occupation of the valley of that river. But every probability assigns these to the period of the fur-trading establishments on the Arkansas in the second quarter of the nineteenth century. Neither Pike’s party, in 1806, nor Long’s, in 1820, saw any sign of white men’s occupation of land lying along the upper reaches of that stream.

Aside from the temporary effects of the transitory operations of nineteenth-century fur-traders, who, with a few exceptions, were Frenchmen and Americans, conditions in the Colorado country while any part of it was under the jurisdiction of independent Mexico remained about the same as they had been under the former régime. An attempt had been made in 1842-43 to plant a Mexican colony in our San Luis Valley. A large body of land in what is now our Conejos County was granted in 1842 to four Mexican associates—Antonio and José Maria Martinez, Seledon Valdez, and Julian Galligos. These promoters located a small number of their fellow-countrymen upon the grant: but as the Ute Indians arose in hostility to the enterprise, and threatened the settlers with destruction, the latter soon abandoned the lands which had been assigned to them and withdrew.

In the winter of 1851-52, another small colony of Mexicans settled in that section of the Rio Grande’s drainage-basin, and which obtained a permanent foothold. Among the improvements made by these people was a main ditch for irrigation, constructed in 1852. This waterway, the “San Luis Ditch,” is still in use; and its water-rights are the oldest at present in force in our State.

At some time prior to the year 1853, but probably not long before, several Mexican families settled side by side on the upper reach of the Greenhorn branch of the St. Charles River, which empties into the Arkansas

near our city of Pueblo. This hamlet, which did not prove to be permanent, appears to have been situated in the far-southwestern part of what is now our Pueblo County. It was visited in the summer of 1853 by Lieutenant E. G. Beckwith, the officer second in command of Captain John W. Gunnison's "Central Pacific Railroad Exploration," which was made in that year through the land of Colorado from east to west along the course of the 38th parallel. Before the dwellings of these settlers came into view, the explorers had not seen in the Colorado part of the Arkansas Valley any signs of white men's habitations. When the party was encamped on the upper Huerfano, early in August, Beckwith and several others made a side-trip to the Greenhorn settlement, and of which he tells the following in his official report of the exploration:

"Passing over another sharp ridge, we descended in two miles to the fine little valley of the Greenhorn, a stream of two feet in width and three or four inches in depth, which is now entirely diverted from its natural channel and employed in irrigating the lands of the six New Mexican families who reside at and constitute the present population of the place. They plant a few acres of corn and wheat, of beans and of watermelons."

Beckwith mentions that the houses, built of adobe, stood shoulder to shoulder and were surrounded by a close fence of high pickets; and also that the settlers had corrals for the safe-keeping of their stock at night.

The report of the Gunnison expedition further states that there was a small Mexican settlement and some Mexican ranchmen located at that time in the vicinity of Fort Massachusetts. This United States military post, built in the year 1852, by troops of the Regular Army, stood upon the right bank of Ute Creek, not far from the foot of the western slope of the Sangré de Cristo Pass. As this fort gave protection against the Indians to these settlers, and, but to a lesser extent, also to those on the Greenhorn, I think it is probable that both settlements were made at the time when the construction of the post was begun.

Fort Massachusetts was supplanted in June, 1858, by Fort Garland, also a United States military post, built in the spring of that year, in a more favorable location, several miles farther down Ute Creek; and in that season the white population in that district was considerably increased by Mexicans who settled in the vicinity of the new fort, and who became permanent residents of the locality.

A part of the land that had been granted to Antonio Martinez and his associates, in 1842, was occupied in the spring of 1854 by a new organization of settlers. At that time, Major Lafayette Head, who had served in General Kearny's army and had become a citizen of New Mexico shortly after the conquest of that Province by Kearny, organized a colony of some fifty Mexican families and established them on the northward side of the Rio Conejos, the locality being within ten miles north of Colorado's southern boundary. These people, who named their settlement "Guadalupe," built adobe houses and engaged in stock-raising and agriculture. Although they were frequently menaced by Indians during the next several years, and at one time were attacked by a war-party of Utes, they held their ground and multiplied and prospered. Their hamlet of Guadalupe still survives; and likewise their "Guadalupe Ditch," for irrigation.

R. M. Stevenson, in a historical sketch of Pueblo County which forms

a part of a *History of the Arkansas Valley*, published in 1881 by O. L. Baskin & Co., of Chicago, says:

"It is probable that one of the first settlements in what is now Pueblo County, was located at Charley Autobeas' [Autobeas] ranch near the point where the Huerfano river flows into the Arkansas. Charley, who was an old hunter and trapper, seems to have taken up his residence there at an early day, and drawn around him a party of Mexicans and half-breeds, who looked up to him as their ruler and leader in their many skirmishes with hostile Indians."

In an article published in the Washington (D. C.) *National Intelligencer*, in December, 1854, Captain John C. Frémont, referring to his "recent winter expedition across the Rocky Mountains," says:

"In the beginning of December, we found yet no snow on the Huerfano river, and were informed by an old resident, then engaged in establishing a farm at the mouth of this stream, that snow seldom fell there, and that cattle were left in the range all the winter through."

It is evident that Frémont's "old resident" was Autobeas, who had "settled down" in that locality in 1849, and who was said to have been living upon the ranch as late as 1880.

Mr. Stevenson goes on to say that "settlements of Mexicans also were made at the mouth of the St. Charles and at the junction of the Fontaine qui Bouille and the Arkansas." However, these "settlements" were transitory affairs of the fur-trading period. The same writer further says:

"A settlement also was made on Greenhorn creek by Alexander Hicklin, better known throughout Colorado and New Mexico as Zan Hicklin. He came up from Santa Fé and located on a portion of the Vigil and St. Vrain [land] Grant, which he became owner of, through his wife, who was a daughter of Colonel Bent. He cultivated a large tract of land, raised immense quantities of grain, was an extensive stock-owner, and gathered around him a number of Mexican peons. His house was a renowned stopping-place for travellers, and his genial humor and kindness of heart endeared him to everybody."

Excepting what was done by fur traders and by a few gatherings of Mexicans and Americans at or in the near neighborhood of some of the trading-posts, as related in another chapter, the foregoing accounts indicate the extent to which the soil of Colorado had been occupied by white people before the "Pike's Peak excitement" brought hither the men who made the first permanent American settlements upon the land of our State.

CHAPTER II.

THE FRENCH IN THE MISSISSIPPI VALLEY.—THEIR TERRITORIAL CLAIMS.—PART OF COLORADO INCLUDED IN NEW FRANCE.—BELIEFS THAT NORTH AMERICA AND ASIA WERE UNITED.—SUPPOSED WATER-PASSAGE FROM THE MISSISSIPPI RIVER TO THE PACIFIC OCEAN.—EARLY FRENCH CARTOGRAPHY OF THE WEST.—LA HONTAN'S GREAT RIVERS.—SENEX'S VERSION OF LA HONTAN'S CHART.—PERSISTENCE OF THE WATER-WAY THEORY.—THE "MESCHASIPI, OR GRANDE RIVIÈRE".—THE "SEA OF THE WEST".—TALES OF CHINESE TRADERS IN THE WEST.—THE WATER-PASSAGE AND TRADE WITH THE ORIENT.—"TARTAR LANDMARKS" AND STRANGE WHITE MEN.—EARLY FRENCH NAMES FOR WESTERN INDIAN TRIBES.—MODERN TRIBAL NAMES OF SOME WESTERN INDIANS.—PART OF COLORADO IN "GRAND QUIVIRA".—PIONEER FRENCH EXPLORERS OF THE CENTRAL PLAINS REGION.—EXPEDITIONS OF DU TISNE AND LA HARPE.—"UNICORNS" SEEN BY LA HARPE.—HIS SECOND EXPEDITION INTO THE PLAINS COUNTRY.—EARLY FRENCH TRADERS IN THE SOUTH-WEST.—BOURGMONT'S ENTERPRISES.—HIS MEMORABLE VISIT TO THE PADOUCAS.—EXPEDITION OF THE MALLET BROTHERS INTO COLORADO IN 1739.—COLORADO COUNTRY SUPPOSED TO BE THE EASTERN BORDER OF ASIA.—LA BRUYÈRE'S HUNT FOR THE ASIATIC FRONTIER.—THE VERENDRYE BROTHERS IN WYOMING.—FRENCH TRAILS AND BOUNDARIES IN THE WEST.—UNDEFINED LIMITS OF NEW FRANCE.—GEOGRAPHICAL GUESSING.—PROPOSED ENGLISH EXPEDITION TO SEARCH FOR THE WATER-WAY.—PERIOD OF INACTION.—DISAPPEARANCE OF NEW FRANCE.—RESTRICTIVE FRENCH POLICY.—FOUNDING OF THE CITY OF ST. LOUIS.—FIRST HABITATION BUILT BY WHITE MEN IN THE LAND OF COLORADO.

The French title to the Mississippi Valley, as it stood in the opening years of the eighteenth century, was based primarily upon the explorations made by Louis Joliet and Father Jacques Marquette in 1673, and by the Sieur de la Salle and his companions in 1682. But the more valid claims rested upon the actual, though weak, French settlement of a part of the Gulf Coast, near the mouth of the Mississippi, and of a small district, bordering on the Great River, in southern Illinois. Joliet and Marquette had descended the majestic stream, from the Wisconsin River to the mouth of the Arkansas, and there turned back. But La Salle, launching his canoes upon the Illinois River, went to the Gulf of Mexico, where, as I have stated in Chapter I, he "jumped" Spanish claims in the Mississippi's vast basin in behalf of his king and country, with ostentatious ceremonies and formalities. Hence greater importance had been attached to his exploration and its attendant vauntings and broad declarations at the river's mouth than to the unobtrusive voyage upon a shorter part of the stream by Joliet and Marquette.

Before the intrepid La Salle had rendered this memorable service to his king and nation, the French had not boldly claimed territory in North America much beyond the valley of the St. Lawrence River and the immediate region of the Great Lakes; but now, as I have heretofore related, they extended their New France over the Mississippi's entire basin, thus including in it about one-half of Colorado's soil—all that is drained by

her streams whose waters find their way into the Mississippi. By the dawn of the new century, the French also had laid claim to the Gulf Coast between Mobile Bay and the mouth of the Rio Grande, and to the Texas country northwest to the eastern edge of the Rio Grande Valley. However, the French pretensions as to the Mississippi Basin were promulgated without a reckoning with those of the English colonies upon the seaboard of the Atlantic which were asserting that by virtue of their royal charters their territory stretched from sea to sea within their limits of latitude.

But in that period neither the French nor the English had any definite knowledge of the character and magnitude of the far country west of the Mississippi, and both were endeavoring to make up for the lack of it by liberal drafts on their imagination. It was still believed that the northern parts of the Asiatic and North American continents were united by a broad land-connection, and that the Chinese frontier probably was not out of reach by an overland journey of moderate duration. Another cherished faith saw a navigable water-passage—a ready-made “ship-canal”—from the upper Mississippi or from one of its large tributaries in the middle West, either directly to the Western Ocean (or South Sea) or to a great gulf projecting many miles inland from that ocean.

The belief in a land-connection with Asia was common in that era, and that of the French in Canada as to the near proximity of Asiatic peoples harked back to an account given French explorers, before the year 1635, by Indians living upon the northward shore of the Georgian Bay, of men without hair or beard who came from the West to trade with a tribe of red people which dwelt beyond the Great Lakes. In the last half of that century, the theory of an easy connection by land with Asia was thought by the French to be confirmed by a tale told by Adrian Grélon, a Jesuit missionary, who died in 1697. In the earlier part of his service, Grélon had been in Canada, but afterward was sent to “Chinese Tartary,” where, according to the story, he encountered a woman, of the Huron tribe of Indians, and whom he had known in her native country, between the Georgian Bay and the western end of Lake Ontario. Grélon understood that she had been sold as a slave from tribe to tribe until she had passed into the possession of the Tartars.

The fiction of the water-way had grown out of exaggerated versions by French missionaries and traders of Indian accounts of “big” rivers and connected lakes far off in the West, and of vague stories of large streams that started from the same place and flowed in opposite directions, but which really meant the interlacing of the headwaters of the Missouri with those of the Columbia River and of that of the sources of the Platte and the Arkansas with those of the Rio Colorado. Moreover, some early French pioneers on the upper Mississippi heard from red men of “mountains of monstrous height” far away beyond sundown; and a Frenchman who was on that part of the river in 1688 was told of a great sea or gulf lying upon the farther side of these mountains, and that its coast was inhabited by men who rode horses. When Louis Joliet and Father Jacques Marquette undertook their exploration of the Mississippi, it was thought by some of the French that they “might seek a passage from here to the Sea of China, by the river that discharges into the Vermillion, or California Sea”—the Gulf of California. About that time, the Jesuit Fathers on the Great

Lakes reported that they had "sumises touching the North Sea, the South Sea, and the Sea of China, which we hope ere long to discover."

French geographers, working in Paris, having received greatly expanded forms of the Indian accounts of rivers and lakes in the far West of North America, construed them as meaning the existence somewhere in the transmississippi wilderness of a continuous water-passage to the Western Ocean, and therefore laid it down upon their maps, placing it according to their differing opinions as to where it ought to be. The English and others, who had not heard anything about it at first hands themselves, fell in with and adopted the French conclusions. Such a channel could be made part of a highway of floating commerce with the Orient. The German writer, Lugtenberg, made use of it in the year 1700 in propounding his theory of the peopling of the Western World by our troublesome ancient friends, the "Lost Tribes of Israel"; and near that year a bungled French translation of a Spanish narrative had a ship make its way through the continent from the Western Ocean to the Gulf of St. Lawrence. The water-passage long was sought, and Frenchmen mourned because they found it not. Well on to a hundred years of failure to discover it elapsed before all belief in its reality was shattered.

Another popular conviction among both French and English made the unknown western country "rich in mines." So the French pioneers in what we used to call the "Far West" had much to inspire them in their work.

In the opening years of the eighteenth century, the Baron La Hontan, a Frenchman of fertile mind, who is known to have been in the region of the Great Lakes, but probably never saw the Mississippi River, alleged that while he had not found an unobstructed water-way to the Sea of the West he had fallen upon some things which were next to it. These were two great sluggish streams, several miles wide, the heads of which were almost joined, being separated by only a low and narrow range of hills. The eastern river extended from the divide, through South Dakota, to the Mississippi, while the other flowed directly west to the Occidental Ocean. He displayed them upon a map inserted in a narrative of his travels and adventures in New France (*Nouveaux Voyages dans l'Amerique Septentrionale*), which he published at The Hague in 1703; and as the book was brought out in English and German soon afterward it was widely read and believed.

La Hontan claimed to have discovered the eastern river, and to have explored it for two-thirds of its course, some fifteen years before (or about 1688), and said that the Indians he met at the termination of his voyage upon its waters described its farther-western parts, and drew for him on deerskin a sketch of them. These obliging savages also told him of the great western river and made a similar sketch of it. Of the accuracy of these descriptions and sketches the Baron had no doubt. He named the eastern river the "Rivière Longue," but noted that it was "called by some the Rivière Morte [Dead River] because of its slowness." His broad and ragged Long River, as shown upon his map, and which is widened into a circular lake near its western end, looks like the figure of a huge sprawling reptile of some sort, with its head at the hills and the end of its tail in the Mississippi, while its left front leg reaches downward nearly to the north-eastern corner of Colorado.

The Baron pretended to have found three tribes of Indians lodged on the banks of his Rivière Longue; the Eokoros, Essanapes, and the Gnacsi-tares: and to have met some of the Mozeemleks, who dwelt near the head of the western river. He pictured upon his map one of the "boats of the Tanuglauk," a people he did not see, but of whom his Indian friends told him. Two hundred men could row in this boat, if it were such as the Mozeemleks had drawn for him upon pieces of bark. He estimated that "such a boat should have 130 feet of length from prow to stern." His map also shows a "house of the Tanuglauk of eighty paces [about 200 feet] of length, such as the slaves of Mozeemlek have depicted for me on barks of trees", and which looks much like Fort Sumter before our Civil War.

La Hontan's story of his exploration west of the Mississippi was, of course, a barefaced fabrication. His two rivers were imagined from vagabond tales that had originated with western Indians and grown large as they traveled; and there is hardly any room for doubting that his eastern stream stood for the wide and shallow Platte River, magnified greatly and moved some two hundred miles north of its course. His house of the Tanuglauk may have represented a measure of knowledge of the pueblos of New Mexico by Indians whom he met in the country of the Great Lakes, but the Tanuglauk boat floated only in the realm of his fancy.

Nevertheless, the Baron's story and his map generally were taken at their face value during the first quarter of that century. A popular English version of his cartographic fraud, but with some notable alterations and additions, among the latter being the introduction of the Great Salt Lake, of Utah, was contained in a *Map of North America* "corrected from the observations communicated to the Royal Society of London and the Royal Academy at Paris by John Senex, F. R. S., 1710." Its representation of the Salt Lake is the earliest known in geographical charting, and was based upon hazy knowledge that had come to Senex, through the French, from Indian sources. At that time the lake was otherwise unknown to white men, unless some forgotten Spaniards had gone to it from the Rio Grande; nor had any Frenchman yet seen the Rocky Mountains. In a note upon his map, Senex thus describes the salt sea of Utah:

"A Lake of Salt water 30 Leagues wide and 300 about [apparently meaning 'about' 300 long] according to the report of the Savages who also say that the mouth of it is at a great distance from the South Coast and is [there] but 2 leagues' broad. That there is above 100 Towns about it And that they Sail on it with large Boats."

The English geographer made the western river of La Hontan's map empty into the Salt Lake, and shifted the Rivière Longue from an eastward to a southeastward course. Midway in its flow, the latter is expanded into a great lake, which receives the waters of a broad river that rises near the northeastern corner of Colorado. In another note, Senex expresses confidence in his authority for these features of his map, "Unless the Baron Lahontan has invented these things, which is hard to resolve, He being the only Person that has Travel'd into these vast Countries".

Although most European geographers had rejected La Hontan's story and chart before the year 1740, some upheld them and kept forms of his rivers upon their maps until that century had passed far toward its close. But in the meantime nearly all makers of maps of North America had continued to believe that a navigable water-way to the Western Ocean

existed somewhere beyond the Mississippi, and many of them had gone on giving their ideas of it a fair display upon their charts. Some thought it would be found to extend from the western end of Lake Superior, but others, basing their belief upon early and misunderstood Indian descriptions of the Platte River, placed it in the central region. Here it might prove to be "a large and vigorous river", or perhaps a wide lagoon-like channel lazily stretching its course toward sundown, either connected with a western tributary of the Missouri or having its source in an extensive lake, from which an eastward outflow was discharged into that river.

The far-away mountains were not regarded as necessarily presenting a barrier to a westward-flowing stream. They might not form a continuous chain. It was thought probable that they were divided by a depression through which a way to the ocean, or to the reported gulf, was open. Beside the Indian story of what had been construed to mean an eastward "arm of the South Sea", the geographers had heard something from the Spaniards of the inlet now known as the Bay of San Francisco.

Henry Popple, an eminent English geographer, elaborated the central-lake idea upon his *Map of the British Empire in America*, published in 1733, by substituting for Senex's form of La Hontan's Rivière Longue two great lakes connected by a broad but short channel and having an eastward outlet in the direction of the Missouri River. The southward shore of the eastern of these lakes is placed not far above the northern boundary of Colorado. Mountains and small groves are scattered over the country round-about as if they had been sifted down from on high.

However, several French explorers had penetrated far into the central plains-region before 1725 without having found any water-way more promising than the Arkansas River and some of the lower branches of the Missouri.

The "large and vigorous" westward-flowing river—the "Meschasipi, or Grand Rivière"—appears upon several French and English maps of the country west of the Mississippi, made in the first half of the seventeenth century, its course being near the 40th parallel, which lies a few miles north of Denver. Strangely enough, after all that was said in that period about a through water-passage, the river is not connected with the Missouri nor with any other eastward-flowing stream, but has its source in a small lake—the "Lake of the Panis"—placed near the Missouri, from which it is separated by a narrow "prairie". As to how and why this little lake gave rise to so large a river no explanation doth appear.

The most pretentious charted representation of the "arm of the South Sea" was made upon a map in a "Memoire presented to the Academy of Sciences at Paris by Philippe Buache in 1752". Working with Senex's Great Salt Lake and some Spanish knowledge of the Bay of San Francisco, this geographer joined the two widely-separated bodies of salt water and then magnified the combination into a mediterranean gulf or sea—the "Mer de l'Ouest"—nearly as large as the Gulf of Mexico, and connected with the Pacific Ocean by a comparatively narrow strait. The map has the Meschasipi, or Grande Rivière, which Buache called the "Rivière de l'Ouest", emptying into this Sea of the West, which submerges a large area of northern Colorado. The mythical golden city of Quivira is located upon the southeastern coast of the sea, near the river's mouth, and, as I

have remarked in Chapter I, approximately in the latitude and longitude of Denver.

Buache labored at long range, and in a time when latitudes and longitudes in the immense region west of the Mississippi, as well as conceptions of its topography and extent, were in great confusion. He did the best he could with the light he had; and all that he could do to make the land of Colorado a maritime country and the future Denver a seaport.

For some twenty or twenty-five years before Buache's map appeared, many European geographers had accepted the Sea of the West upon its own merits, regardless of the westward-flowing river. Some believed, probably from fugitive Indian knowledge of Puget Sound, that its eastern shore was "about 300 leagues" to the west of Lake Superior, but most of its advocates located it in central latitudes, with its nearest coast about that distance from the Mississippi. During the eighteenth century there was almost as much hunting for the imagined sea as for the water-way, and it lingered in shrinking form about as long as its companion myth survived.

The theory of the union of North America with Asia, and also of the nearness of China to the western confines of the Mississippi Basin, together with the belief that Mongolian people might be found in the more distant parts of the West, likewise had kept, from an early time, a firm hold upon the attention of French pioneers in New France.

I have mentioned, a few pages back, a story told them by Indians of the Georgian Bay country of strange men coming from the West to trade with a tribe of red people that was seated on the farther side of the Great Lakes. In or about the year 1635, Jean Nicollet was sent as an ambassador of the Huron Indians to make peace between them and this tribe, which turned out to be that of the Winnebagoes, then living at the head of the Green Bay, an inlet from Lake Michigan. Expecting there to meet some of the trading strangers of the West, who were thought to be Chinese, Nicollet, supposing that they might be accompanied by mandarins provided himself, as a dress of ceremony, with a full-length robe of Chinese damask, gaily embroidered with figures of flowers and birds. As he entered the Winnebago town, clothed in his gorgeous robe, the squaws and children took to their heels in terror, and as they ran screamed their fear of this awful manitou.

When La Salle was exploring the St. Lawrence River, in 1669, sanguine of finding a short passage to China, some of his men, having refused to advance farther, upon their return to the rapids in that stream, near Montreal, in derision of his purpose called them "La Chine Rapids" (the China Rapids), a name by which they are known to this day.

But the French were no further at sea as to the whereabouts of China than were the English. We all know of the confidence with which the founders of Jamestown were authorized to explore the Chickahominy River in search of a new way to the Flowery Kingdom.

A French trader, the Sieur de Bourgmont, who was on the far-lower Missouri before the year 1710, reported that he had heard from Indians that men of small stature, who lived around a great lake very far off in the West and wore clothes somewhat like those of the French, were trading with the Panis and other tribes in the treeless country, which was beyond the farthest point to which he had gone. When this story came to the

ears of the French in Illinois and in the settlements upon the Gulf Coast, it was surmised that these traffickers would prove to be Chinese.

Father Bohe, a priest who was living at Versailles, France, in that period, and had a correspondent at Mobile, also had heard of these people, or of others like them. He informed the French geographer, William Delisle, that, according to his advices from his friend, there was a fine and populous country in the direction of the Western Ocean, and which was known to the Spaniards. In his loyalty to his king, the worthy Father suggested "Bourbonia" as an appropriate name for this flourishing land. Several contemporary stories about the water-passage to the South Sea had told, with seeming truthfulness, of civilized white people dwelling upon its banks, near the sea, and using horses in their daily business.

In a memorial prepared at Paris in 1718, outlining a plan for giving the French a commanding position west of the Mississippi River, it was proposed that mines said to exist in Missouri should be worked energetically, and that commerce with the western Indians and with the Spaniards in the Southwest be established from that base. Inasmuch, it went on to say, as the Missouri has one branch leading to the South Sea, trade can also be opened with the Chinese and the Japanese. In common with the geographers of that time, these promoters had a little long-distance knowledge of the deceptive Platte River, and it was by way of that stream that they expected to open this oriental trade. Perhaps the reader can imagine our South Platte as a part of a thoroughfare of direct commerce with sons of eastern Asia, and mentally see at the mouth of Cherry Creek a local harbor for the passing argosies of the traders.

The Sienr de Verendrye, who was on the Missouri River, in North Dakota, in 1738, stated that he had seen in that country some monuments, of the nature of landmarks, of which no one knew the origin, and that one of them bore an inscription in "Tartar characters". Beside these, he said he had seen old furrows in the soil, from which he concluded that the region once had been occupied by people who used plows. When on the Assiniboine River, in the next year, Verendrye heard through a messenger from the Mandan Indians, of North Dakota, of Indians from the farther West, or the Southwest, who had come to trade with the Mandans and had told that bearded white men, "pale-faces", lived near their country, and had forts of stone and brick, with cannon in them. These strange people planted and harvested many things, had horses and oxen, wore clothes made of woven stuff, and tied soles to their feet. They had "medicine" books and crosses, and their houses were upon the shore of a great water that came up and went down (tides), but the water was not fit to drink. When they heard this travel-worn story, some of the French savants had sensible thoughts of Spaniards upon the western coast of Mexico, but others shook their heads and pointed toward Asia.

Not to be outdone by Verendrye, Legardeur de St. Pierre, who explored a part of the country west of Lake Superior in years around 1750, reported that the Indians of that region told him that there were white people—not quite so white as the French—living in that part of the West "where the sun sets in the month of June"; that is, in the Northwest. St. Pierre said he knew that these people must be well civilized, for he had seen horses and saddles which his Indian informants had obtained from them.

Philippe Buache, the exploiter of the *Mer de l'Ouest*, in 1755 made a map of North America upon which his sea was shown smaller, and the coast of the Western Ocean, above and below the sea's connection with it, was designated as "the country of the Chinese"—the vicinity of the Bay of San Francisco. Some observant Frenchmen who were in the West in that period were sure they recognized "Chinese sounds" in the harsh speech of the plains Indians.

The French geographers of that century gave to some Indian tribes in the West names that are unfamiliar now. As the contemporary English maps in the main were copies of the French, these names were repeated upon them. La Hontan's Eokoros, Essanapes, Gnaesitares, Mozeemleks, and Tanuglaux are unknown in the modern history of the western country; and probably were inventions of his own. But the Essanapes and Gnaesitares are retained upon maps made more than fifty years after the Baron's time. The "Panis" (Pab-nees) of the French were the Pawnees, whose range was in east-northern Kansas and east-southern Nebraska; and their Canzes, sometimes "Conzes", were the Kansas tribe, of eastern Kansas. Upon the reprint of William Delisle's map that defines Moscoso's course west of the Mississippi, and to which I have referred in Chapter I, the plains of Colorado and the northeastern part of New Mexico constitute the "Country of the Apaches and of the Padoucas"; but upon a later chart (*Carte d'Amerique*), published in 1722, he has the Colorado plains occupied by the "White Padoucas" and the "Black Padoucas", the former being located between the South Platte and North Platte Rivers, and the latter on the Arkansas; and has the Comanches ("les Choumans") in eastern New Mexico and western Texas. His reasons for distinguishing the Padoucas as "white" and "black", and as later geographers continued to do, are not certainly known. Le Page du Pratz, a Frenchman who was in the Mississippi Valley in the first quarter of that century, says, in his *Histoire de la Louisiane*, which was not published until 1758, that the Padoucas were "very numerous" in his time, "extending almost 200 leagues", and that "they have villages quite close to the Spaniards of New Mexico". "From the Padoucas to the Canzes, proceeding always east", he states, "we may now safely reckon 65½ leagues. The river of the Canzes is parallel to this route". According to Du Pratz's figures, the habitat of the Padoucas extended into the Southwest to a distance of about 265 leagues, or somewhere near 800 miles, from that of the Kansas tribe. It has been held by some writers that "Padoucas" was a collective name for several local tribes, whose proper appellations were unknown to the French in that period; but according to others the "Padoucas" were the Comanches. In later times the word was in use among the Sioux as a name for the Comanches. Delisle's map of Louisiana has villages of Padoucas located on the upper Arkansas, and also here and there in the plains country that corresponds geographically with that of the South Platte and North Platte rivers. Upon some other old French charts, the Platte River itself is called "Rivière des Padoucas", while later ones bestow the name upon the South Platte only, and which that stream retained upon the work of some American mapmakers as late as the middle of the nineteenth century. In a few instances among old maps the name is given to an affluent of the South Platte—to a stream apparently intended to represent the Cache a la Poudre River. The word "Padouca", the significance of which remains

in doubt, appears to have been familiar to several Indian peoples in the Mississippi Valley, and is the name of a flourishing little city in Kentucky.

The Comanches were known upon the Colorado plains within American historical times mostly by their bloody raids from a range farther south; the principal tribes that occupied or frequented the Colorado section being the Arapahoes, Southern Cheyennes, and the Kiowas, together with a few Gros Ventres and Blackfeet, none of which figures upon very old maps by a recognizable name. The Arapahoes called themselves "Inuñaina", which is understood to be equivalent of "our people". But by the Sioux and the Cheyennes, for reasons that have not been determined, they were also known as the "Blue-sky people" and the "Cloud men". "Arapahoe", of which there was a large assortment of variants, has been supposed to be an alien term for them and to signify "He who buys or trades", or "One who serves as a go-between", or acted as a broker in effecting exchanges of portable property between tribes. "Cheyenne" is from the Sioux name for that tribe, "Sha-hi-yena", or "Shai-ena", said to mean "People of alien speech". To "Kiowa", from that tribe's own name, "Ga-i-gwa", or "Ka-i-gwa", is attributed the meaning of "Principal people". The Comanches are said to have called themselves "Ne-un", which has been variously understood to have meant "*The people*", "*The men*", and the "*Good men*". Among the many other names by which they were known were "Ietans", "Iatons", "Iotans", "Tetans", and "Tetaus". "Comanches" appears to have been the Spanish name for them, and which is of uncertain meaning, but probably a Spanish form of a Comanehe word. In the first quarter of the nineteenth century, the Comanches considered themselves to be the most powerful nation in the world; and next to them in numbers and valor, according to their reckoning, were the "Americas", which was the name by which they knew the people of the United States. The Apaches, so far as written history runs, were not dwellers in the country north of the Arkansas River, but occasionally they forayed into it and left bitter memories along their blood-stained trails.

Some of the French geographers, having in mind the object of Coronado's vain search, applied the name "Grande Quivira" to the section of the West supposed by them to be the dwelling-place of Bourgmont's "men of small stature", and which also was suitable to Father Bobe's "fine and populous country", that was understood to lie in the same quarter; the bounds assigned to it embracing a large portion of the western part of Colorado. Herman Moll, an English geographer, evidently intending to disparage such French pretensions, noted upon a map by him in 1720 that Grande Quivira was occupied by "many wandering nations of Indians . . . who use horses and trade with the French and Spaniards."

Nothing was known of the plains region by either the French or the English before the year 1700, aside from the little that had been learned at second-hand from Indians. It has been alleged that a party of New Englanders crossed the Mississippi River and went on to Santa Fé in the year 1678. This story has been told as a historical fact, but the eminent American historian, Francis Parkman, after a thorough investigation, pronounced it to be without proof or probability.

The earliest known French attempt to explore the central region west of the Mississippi was made in 1703, when a party of twenty men left Kaskaskia, Illinois, to make their way to New Mexico for the purpose of

opening trade with the Spaniards, and also with the expectation of discovering mines. But it seems that they never returned, and that no one knew what became of them. During the next eight or ten years several French parties explored the Missouri, one of which, in 1705, under a leader named Laurain, claimed to have gone "high up" on that river. In later times, it was said that some Frenchmen had been 500 leagues up the Missouri before the year 1720. The story says that the voyagers turned back from the village of an Indian tribe that had been fighting some Spaniards, a circumstance that caused the French much uneasiness lest the Spaniards should establish themselves in that part of New France.

In 1712, a company of Frenchmen set out from Biloxi, the primitive French settlement near the mouth of the Mississippi, to explore the country of the Arkansas River. Of this expedition little is known for certain, but it appears that the adventurers went far enough to see "endless herds of buffaloes". They were the men who were said to have ascended that river to its source, as I have mentioned in Chapter I. While it is altogether improbable that they followed the Arkansas to its headwaters in the mountains, they may have advanced as far as the eastern border of Colorado, or even to the foot-hills. If so, they were the first Frenchmen to tread the soil of our State.

When Crozat came into power on the lower Mississippi, a few years later, several efforts were made to open a route for trade from the Mississippi to the Spanish settlements on the Rio Grande, one of the expeditions for that purpose being known to have gone up the Arkansas River. But I have been unable to ascertain the particulars of any of these ventures.

Two French explorers, having in view the extension of their countrymen's influence and trade among the Indians of the plains, and probably also incited by the various stories about the presence of strange white men in the distant West and of the existence of a water-way to the Occidental Ocean, entered into the wilderness of the central West in the summer and autumn of the year 1719.

One of these, Du Tisne (or Du Tissenet), with five or six companions, all mounted upon horses, started from Kaskaskia, and after crossing what is now the State of Missouri, arrived, early in the summer, at a large village of Pawnee Indians, located somewhere in the near vicinity of the present Fort Riley, Kansas, and where the French leader raised the standard of France. As the French were experts in winning Indian friendship, Du Tisne soon was on good terms with the Pawnees. But when he prepared to move on westward to visit the Padoucas his new friends objected, saying that those Indians were their enemies and kept them from having trade with the white people on the Rio Grande. However, after much coaxing and some extra presents, the Frenchmen gained their consent and went into the Padoucas' country—"fifteen days' journey"—where, on September 27th, he "set up a column", a monument of some sort, in token of French authority over the land. The locality in which he met the Padoucas can not be determined with any close approach to precision, and therefore we are in uncertainty as to the place in which he erected his memorial. Le Page du Pratz understood that until 1724 the range of the Padoucas took them nearer the hunting-ground of the Kansas tribe than after that year. But as fifteen days' travel upon horseback could easily have covered some 300 miles, Du Tisne's "column", if it were made of material as durable as

stone, still may be lying somewhere near the eastern border of Colorado, unless the Indians appropriated and carried it off as a "big medicine". Du Tisne turned back from the Padoucas' country, and arrived at Kaskaskia in November, without having found anything that resembled a water-passage to the South Sea or seen any people who looked like Chinese.

The other expedition into the central West in that year was under the command of Bénard de la Harpe, and appears also to have entered the country of the Padoucas. La Harpe set out from the French post at Natchitoches, on the lower reaches of the Red River, in March, with seven soldiers and a negro servant, in canoes, to explore the country of the Red, to open commercial intercourse with the Spaniards in New Mexico, and to establish a small French post high up on that stream. Early in April he landed at an Indian village which he thought to be about 125 leagues from Natchitoches, by the river's course, and where he heard that war had been declared between France and Spain. This news caused him to abandon his previous plans and to change his route and purposes. With twenty-two horses bought in trade from the Indians of the village, and with two of these red men for guides, the party left the Red River and proceeded in a northerly and westerly direction, and on September 3d came to a river which La Harpe called "the southwest branch of the Arkansas". Francis Parkman, in his *A Half Century of Conflict* (New York, 1892), says that if La Harpe's "observation of latitude is correct", this river "must have been the main stream, not far from the site of Fort Mann". This fort, one of our early military posts in the central plains-country, stood upon the northward bank of the Arkansas, a short distance west of the 100th meridian, and near the site of the present Dodge City, Kansas, which is two degrees east of the eastern boundary of Colorado. It was in this locality that the Santa Fé Trail crossed the river in times more than a hundred years after La Harpe's coming: and, as the reader will recall, it is believed that Coronado forded the stream somewhere near this point when upon his outward march, in 1541.

La Harpe here found a great gathering of Indians of several tribes, assembled for an autumn buffalo-hunt, their villages being strung along the left bank of the river for a mile or more. He estimated the population of the aggregation to be "six thousand souls"; the people having a plenty of horses and using saddles and bridles after the Spanish manner. Indian hospitality was lavished upon the stranger-visitors; the feasts, speeches and dances continuing throughout the entire day and far toward the next morning. The Indians told La Harpe that he could go easily to the Spanish settlements on the Rio Grande by following their river, but advised strongly against an attempt to do so at that time. From these Indian friends he also learned of the Spanish military expedition, sent from Santa Fé by Governor Valverde, over the Colorado plains and eastward toward the Missouri River, and which was afoot in the autumn of that year. The French leader raised a "pillar" at this Indian town, as evidence of his exploration of the country, and then began his journey back to the Red River and thence to Natchitoches.

As in the experience of Du Tisne, La Harpe neither saw nor heard of Chinese, or a water-way to the Western Ocean. But upon his return to his countrymen he described to them some things about as interesting, in the forms of unicorns, and of other beasts almost as singular, which he said

he had seen upon the great plains. Father Charlevoix, who visited the French settlements in Illinois in 1721, having heard these stories, remarked in his journal that traveling in the distant West seemed to unfit men for telling the truth.

But in that wonder-loving age no tale could be too marvelous to be believed. Travelers into new countries, as with voyagers over the wide oceans, were expected to see and to tell of things and places the like of which never had been heard of before; and in the imagination of the common run of the people who stayed at home the faraway seas and new lands swarmed with prodigies.

The enterprises of Du Tisne and La Harpe alarmed the Spanish authorities at Santa Fé, and were the immediate reasons for their calamitous military and colonizing expedition to the northeastern frontier of New Spain, and which was sent forth in the next year. Indians of the tribes encountered by the two explorers carried to Santa Fé the news of their visits and of their acts in formally taking possession of the country, as soon as the French backs were turned.

France and Spain having agreed to peace after about two years of conflict, Governor Jean Baptiste le Moine, the *Sieur de Bienville*, in authority at New Orleans, sent La Harpe upon another expedition into the plains country, in December, 1721. It was intended that the party which ascended the rivers in canoes should explore the Arkansas from its mouth, to determine whether it afforded a practicable trade-route to New Mexico; and another important object of the undertaking was that of obtaining cattle from the Spaniards on the Rio Grande. La Harpe was to have the stock driven across the country to New Orleans—a foresight of the favorite work of the American cowboy in our own times when the plains were open and free cattle-ranges. The distance ascended the Arkansas by La Harpe is uncertain, but it was far enough to confirm his belief that the Indians whom he had visited in 1719 had told the truth when they said the Spaniards of New Mexico might be reached readily from the upper waters of their river. He so reported when he returned to New Orleans, in the following May, and added that the Comanches also were accessible by way of the Arkansas. It was told that he neglected to attempt to go to the Spaniards for the cattle in order that he might employ his time in hunting for emeralds. Parkman says he “accomplished little besides killing a good number of buffalo, bears, deer, and wild turkeys”.

A few daring traders from the French settlements in Illinois had had dealings with Spaniards of the Rio Grande towns, and perhaps had been in Santa Fé, within several years next before 1722, and also with Indians living near the Spanish border, as some of the latter possessed newly-made French products at that time. It is probable that these venturesome traffickers, when going into the far Southwest, ascended the upper Arkansas to the neighborhood of the Colorado foot-hills.

In the year 1722, the trader, Bourgmont, whom I have already introduced, and who had now been among the Indians of the Missouri country for some fifteen years, was employed by the French “Company of the West Indies”, a great commercial organization which included the accessible parts of Louisiana in its field of operations, to see what could be done to guard the line of the Missouri River against such Spanish inroads as that people had attempted two years before with their expedition to plant a

colony upon it. Bourgmont decided that the first thing which should be done was to build a fort on the Missouri, as a base from which the French might find a practicable route for trade with the Spaniards in times of peace and for stopping their incursions in times of war. This project having been approved, he erected upon an island (washed away in modern years) in the river, near the site of Jefferson City, a strong stockade, which he named "Fort Orleans". In August, 1723, he received instructions from Governor Bienville directing him to build another fort, somewhere up the Kansas River, as a picket against the Spaniards, and to defend himself with arms, if necessary, should any force be sent from Santa Fé to interfere with him. He was also to make treaties of amity with the plains Indians to win them from Spanish influences and secure a French monopoly of their trade.

Bourgmont deferred execution of Bienville's orders until the following year, when, late in June, leaving Fort Orleans to the care of a small garrison, he started for the country of the Kansas tribe of Indians, with about twenty of his men. Upon his arrival there he fell dangerously sick, and had to be carried back to his fort in a litter. He set out again, early in September, striking off from the Missouri River at or near the site of the city of Atchison, accompanied by a French officer of engineers, a surgeon, nine soldiers, and his son, all mounted upon good horses, and having with them a large band of Missouri Indians. The Kansas now received him with enthusiastic demonstrations of friendship, and his march through their country was made a continuous ovation. Councils were held, the peace-pipe smoked, and grandiose speeches delivered by both red and white orators, after which the Frenchmen distributed presents with a lavishness that delighted the Indian heart. In the after part of October, having continued upon a westerly course from the Fort Riley locality, Bourgmont arrived at a large village of Padoucas, which probably was at no great distance from the eastern border of Colorado, and opposite Denver. Here a grand council was held, and heaps of presents were handed out to the overjoyed red men. Two days were devoted to feasts, dances, and other forms of celebration. In one of his speeches to the visitors, the great chieftain of the Padoucas said: "Is it true that you are men? I have heard wonders of the French, but I never could have believed what I see this day". Taking up a handful of earth, he went on: "The Spaniards are like this, but you are like the Sun". I may remark here that the Arapahoes are known to have been much given to such extravagant metaphors. With these Indians the Frenchmen made a treaty of friendship and alliance, under which the Padoucas pledged themselves to give French traders safe and free passage through their country to and from the Spanish towns on the Rio Grande, the head chieftain offering the French, in case of need, the services of his two thousand warriors.

Bourgmont made no effort to go farther and search for the strange people, living around a great lake and suspected to be Chinese, of whom he had heard early in his career as a trader among the Missouri Indians. From the Padoucas he went back to his stockaded fort upon the island in the Missouri River, and was heard of no more in the parts of the West adjacent to the Great Mountains.

While plodding traders continued to venture far into the West, there was no other organized French expedition in the direction of the Rocky

Mountains, in Colorado, until fifteen years after Bourgmont's picturesque enterprise. In the meantime, some Frenchmen had gone up the Missouri as far as the Mandan villages and returned with interesting information concerning the Yellowstone River. From their understanding of that river's course, as described by the Mandans, they believed that it and the Missouri afforded a water-way into New Mexico—an assumption similar to one entertained by our Captain Pike, about three-quarters of a century later.

With this in mind, and also having before them the chances of finding the water-passage to the Western Ocean, or the eastern shores of the gulf-like Sea of the West, a party of eight Frenchmen, under the leadership of two brothers named Mallet, one of whom is said to have been a Jesuit Father, entered the northeastern corner of Colorado, in the year 1739, and traversed the land of our State in its full extent from north to south. With the purpose of going to the Spanish towns in New Mexico, they had left the French settlements in Illinois early in the spring of that year and ascended the Missouri River as far as the villages of Arickaree (or Aricara) Indians, expecting to reach their destination by way of the Yellowstone. The Arickarees, astonished by this idea, told them of their geographical misunderstanding and described to them the proper course to take. Descending the Missouri a considerable distance, the Frenchmen there struck out across the country southwest to the Platte River, which then was known to those of their countrymen who had been on the Missouri as the "*Rivière des Padoucas*", which in that period, as I have already mentioned, so was named upon some French maps of the West, which showed its sources to be in the Padoucas' country.

It was with these explorers that the present name of that river originated, the meaning of which is the same essentially as that of the Spanish "*Rio de Chato*", given by Zaldivar, in 1597, to some stream flowing eastward out of the mountains in the Pike's Peak region, and which, as I have remarked in Chapter I, probably was the same river. For "*River of the Padoucas*", the Mallet brothers substituted "*Rivière la Plat*"—"the Flat River"—because of the stream's undue width in proportion to its depth; the qualifying word being used here in a sense similar to that in which we apply "plated" (derived from a common source) to the thin, or shallow, coating of a precious metal upon "plated ware". The obsolete English "platte" is from the same source and has the same meaning.

Following the Platte to its head in the union of the North Platte and the South Platte, the Mallet party proceeded up the latter to its confluence with Lodge-pole Creek, in the immediate locality of our town of Julesburg, and just within the northern boundary of our State. Here the explorers left the South Platte and struck across the plains in a direction south by west. After passing over the Arkansas River, they continued on a southwesterly course, probably up the valley of the Purgatory, or perhaps up that of the Huerfano, and crossed the southern extension of the Sangré de Cristo Range to the Pueblo of Picuvís (or Picuris), from which they went to Santa Fé, where they arrived on July 22d (1739).

The trend and character of the streams they had seen in the later stages of their journey, together with the presence of the towering chain of mountains, no doubt convinced them that neither a water-way to the

Western Ocean nor a sea connected with the latter was to be found in this part of the country.

These bold Freuchmen tarried at Santa Fé until the following spring, when, on May 1st, they began their journey back to the Mississippi. Moving to the upper reaches of the Canadian River, they went eastward along that stream. At some point in the Texas Panhandle, or in western Oklahoma, the party separated into two groups, one of which crossed the plains to the Missouri River, while the other, which included the brothers Mallet, coursed down the Canadian and the Arkansas to the Mississippi, and by the latter on to New Orleans.

The brothers' account of their exploit excited great interest in the southern capital of New France, and caused Governor Bienville, and others as well, to suspect that when the explorers were tramping through Colorado they were traversing the eastern border of Asia—uninhabited parts of China, which was then understood to include all of northeastern Asia. Remembering the old stories about strange white men having visited the plains Indians for trade, and dwelling upon imagined reasons for the apparently studied exclusiveness of the Spaniards on the Rio Grande, the Governor could not rest until he had despatched an expedition farther to explore the debatable country.

The man chosen to be the leader in this hunt for the Chinese frontier was Fabrée de la Bruyère, a naval officer of ability, but not well qualified for such a land-duty. His party consisted of a squad of soldiers, several Frenchmen from Canada who were experienced in work of the kind in hand, and the brothers Mallet. From this it would seem that the brothers shared Bienville's surmises and were anxious to participate in the honor of entering Asia through the back door. Ascending the Mississippi and the Arkansas, in the autumn of 1741, La Bruyère turned into the Canadian River, instead of continuing up the larger stream in accordance with the original purpose. At a point about one hundred miles from the Canadian's mouth he built a little fort, in which the party passed the ensuing winter. After a feeble effort to go farther, which brought on disputes with some members of the company, and having failed to get even a whiff of anything that savored of China, La Bruyère gave up the undertaking and put out for home. Upon the way back to New Orleans, late in the spring of 1742, the party stopped at the mouth of the Canadian long enough to go through the formal ceremony, which included burial of an inscribed leaden plate, of taking possession of all that region for France in the name of the French king.

At the time when La Bruyère was returning to New Orleans to report his failure to find the frontier of China, the two brothers Verendrye, sons of the Sieur, entered North Dakota upon a search for Asiatics and the everlasting water-passage to the South Sea. Traveling southwestward, they crossed the upper Missouri, without knowing what it was, and went on to the Big Horn Mountains, in Wyoming, and probably farther toward the locality of the present town of Lander, in that State. They expected here to find some Snake Indians whom they might induce to guide them farther, but meeting none they retraced their course to their starting-point, on the Assiniboine River. Like their father, they believed that Asia was not remotely distant, and that Mongolian people once had occupied the country which they had visited.

While some French maps of the trans-mississippi region, made in the eighteenth century, show the routes of a few of the early explorers of the Great West, only one track to which was attributed the character of an established trail appears upon them, and which seems to have been marked out not long after the time of the Mallet expedition to the Rocky Mountains. This is a "French Route to the Indian Country", which, according to its earliest well-defined representation upon a map (1763), started from a point on the Mississippi, opposite the mouth of the Wisconsin River, and terminated on the Missouri, in the southeastern part of South Dakota. Upon a chart produced several years later, the trail is extended to the "White Padoucas' Nation", and terminates near the junction of the South Platte and North Platte rivers. It was the general practice of French traders among the Indians to depend more on navigating the lakes and rivers in their canoes and bateaux to reach their red-skinned customers than on traveling by land, and therefore they did not wear many beaten paths in the region of their operations. The map referred to above (that of 1763) also shows an unnamed line from far down in the Southeast, and which crosses the Arkansas, near the foot-hills, and runs thence northward until it fades out not far from the site of Denver. This may have been intended to indicate a part of a line marking the political division of New France, which had been made in the first quarter of that century.

While "New France" embraced, in a broad sense, all the French possessions in North America, it had become necessary in that period to divide the great domain for purposes of administration. Therefore it was cut into two nearly equal parts, which were commonly called "Canada" and "Louisiane"; the former being under the jurisdiction of the government at Quebec and the latter under that of the government of the settlements near the mouth of the Mississippi, and of which New Orleans was made the capital in 1722. As the dividing line never was definitely determined, mapmakers drew it according to their differing ideas as to where it should be placed, having it cross the Mississippi at various points within two degrees above the Ohio River's mouth and two below. This confusion enabled law-breakers to escape punishment by taking advantage of the uncertainty as to jurisdiction in the vicinity of the division. Some geographers gave the line a northwesterly trend from the Mississippi, while others ran it westward and rather centrally through the area of Colorado. Although the Spaniards at that time held that New Spain extended eastward to the Mississippi and northward indefinitely, most of the French maps issued before the year 1750 gave it a boundary in the Southwest that included only a small portion of the land of our State. According to some of these charts, the part of Colorado not conceded to New Spain (about four-fifths) was wholly within Louisiane; but according to others, about one-third was assigned to Canada. However, in those times and for long afterward it was not a matter of great importance as to which or what jurisdiction prevailed in the Pike's Peak country.

During the entire period in which the French had possessions in North America, their government was not inclined to be specific as to the limits of New France, excepting at the Atlantic seaboard, where some frontiers had to be recognized. As early as 1715, Raudot, Colonial Minister of France, requested French geographers to remove from their maps all lines and other indications intended to mark the extent of La Salle's

Louisiane, saying "the Court wishes it left indefinite, and does not want French maps quoted by foreign nations against us". But the mapmakers declined to comply with these desires of the Court.

Much guesswork was applied to the preparation of all maps of the country west of the Mississippi made before our War of the Revolution, and in the early French productions certain of the topographical features of the Far West were greatly displaced. On some of the latter, the Rio Grande, with its head in Montana, flows almost due south through the middle of Colorado; the Red River, made to rise in eastern Wyoming, runs across the Colorado plains upon its way to the Southeast; the Arkansas, with its sources in these plains, is east of the Red, and gets into Kansas after a few miles of meandering upon Colorado soil. The Platte and its main branches generally were shown near their actual courses. A French chart, published in 1722, has the headwaters of the Rio Grande, the Rio Colorado, and the Missouri closely interlaced in central Colorado; the mountains being omitted. But as substitutes for the ranges, this map has several fine volcanoes in lively operation around the site of Denver.

After La Bruyère's failure to find the Asiatic border, we hear no more of official and land-grabbing expeditions by the French, or of their further searchings, in the direction of Pike's Peak, for the water-way to the Western Ocean and for the Sea of the West, although the geographers continued to draw forms of these imagined features upon their maps.

The last known proposition, and the first for Englishmen, to explore the trans-mississippi country in quest of the hidden water-passage, was made in 1753 by Colonel Joshua Fry, of Virginia, to Robert Dinwiddie, the Colonial Governor of that Province. Dinwiddie thought well of it, and appointed Dr. Thomas Walker, likewise a Virginian, and whom he called "a person of fortune and great activity", to organize and command such an expedition. Dr. Walker made some preparations for the enterprise, but the oncoming of war between England and France caused it to be given up.

While the Spaniards had not attempted any military interference with French intruders into New Spain since 1720, they had in the meantime persisted in asserting their right to the country toward the East as far as the Mississippi and to the arctic regions in the North; and also in protesting officially against traders and other adventurers prowling in their territory and making compacts with its Indian tribes, who were subjects of the King of Spain. But for nearly a decade from 1739, the Spaniards had more pressing business in other parts of the world, as England declared war on Spain late in that year. In 1744, she pounced upon France—the "War of the Austrian Succession"—and it was not until October, 1748, that she made peace with the two Latin nations. In the meantime the French of the Mississippi Valley had ceased from troubling their neighbors in the Southwest with exploring expeditions into the domain which the Spaniards had claimed as their own. So the plains country was left to wandering traders and trappers and to the Indians and the buffalos, undisturbed by international friction; and Spain was now disposed to recognize the authority of France over Louisiane.

The peace of 1748 between England and France was nothing more substantial than a truce, and was followed immediately by a rasping conflict of interests in North America that forebode the early coming of an-

other struggle between the two nations. The war began seven years later, and it was yet seven years more before peace was ratified. New France then disappeared, and, as I have remarked near the close of Chapter I, the French were left without a foot of soil upon the North American Continent. England formally and finally renounced the pretensions of her American colonies to territory west of the Mississippi, and recognized as valid the secret transfer of that part of La Salle's Louisiane lying beyond that river, and also of the District of New Orleans, by France to Spain, made on the eve of peace to keep this territory from falling to the English. So the whole of the land of Colorado again became a part of the Spanish empire in America, though Spain did not actually take possession of the cession until 1768.

Through all the years down to the close of that war, the French had made no permanent settlements anywhere in the central region west of the Mississippi, aside from the hamlet of Ste. Genevieve, upon the right bank of the Great River, some seventy miles below the mouth of the Missouri; their only other "improvements" having been a few temporary "forts", several stockaded cabins of traders on the lower reaches of the Missouri, and the huts of some settlers opposite the straggling settlements in Illinois.

Unlike that of the English, and, but in somewhat lesser degree, of the Spanish, also, who founded their communities upon family life and home-making, the policy of the French in America placed the fur trade above all things else, and therefore was opposed to much disturbance of the country's natural conditions. This policy was supported heartily by the French missionaries among the red people, in order that they might devote their labors exclusively to the salvation of Indian souls.

From the downfall of French dominion in North America, in 1763, to the acquisition of the Province of Louisiane by the United States, the history of the central region of the West, from the Mississippi River to the Rocky Mountains, is, as far as surviving records tell, almost a blank, if it may be so expressed. A pall of lethargy rested upon it, and history-making events within its limits were few, far between, and, with one exception—the founding of the city of St. Louis—of low importance.

Early in the spring of 1764, Pierre La Clede, a partner in and the representative of a French fur company, built a small trading-post upon the Mississippi's west bank, about fifteen miles below the mouth of the Missouri; an enterprise in which Auguste Chouteau took part. So the kernel of St. Louis came into existence. A town arose slowly around La Clede's station and became the headquarters of the fur trade of the farther West and the Northwest, which Frenchmen practically monopolized until well into the first quarter of the nineteenth century. About the year 1770, a French "fort", doubtless a little trading-post, was built on the Platte River, some fifty or sixty miles east of the union of the South Platte and the North Platte, but it does not appear to have survived many seasons.

Through the last half of the eighteenth century, French traders and trappers, few of whom made any written records of their goings and comings, were busy in the country of the Missouri and in that of its lower western tributaries; and some of these had become familiar with the plains and eastern foot-hills of our State long before any American explorer of the West beheld the Rocky Mountains.

A party of French traders built a trading-post upon Colorado soil prior to the year 1763; their attempt thus to establish themselves in the Colorado country for the purposes of trade having been the first of the kind, so far as known, in the primitive history of the region that now forms our State. For the preservation of a record of this interesting undertaking, we are indebted to General Amos Stoddard, who was the American officer (then a Captain) who represented our government in the formalities and other proceedings by which the upper part of the Louisiana Purchase was transferred to the jurisdiction of the United States, at St. Louis, on March 9, 1804; and who, some years later, wrote and published a historical volume entitled *Sketches of Louisiana*, in which he related the circumstances of this pioneer trading-enterprise, the projectors of which came into the land of our State by way of the Arkansas River, and halted on that stream, near the base of the mountains. General Stoddard does not name the year in which this venture was made, nor is he more definite as to the time than to say it was "when Louisiana was in the hands of France"—that is, before November, 1763, at which time France ceded Louisiane to Spain. Yet it could not have been very long before, as one of the men who formed the party still was living in 1812. Of the enterprise and its unfortunate ending, General Stoddard relates the following:

"While Louisiana was in the hands of France, some of the French traders from the upper Mississippi transported a quantity of merchandise by way of the Arkansas to the Mexican Mountains, where they erected a temporary store, and opened a trade with the Indians and likewise with the Spaniards of north Mexico. The Spanish traders at or near Santa Fé, deeming this an infringement of their privileged rights, procured the imprisonment of the Mississippi adventurers, and the seizure of their effects; and demanded punishment and confiscation. The cause was ultimately decided at Havana. The prisoners were liberated and their property restored on the ground that the store in question (situated on the east side of the summit of the mountains, and below the source of the Arkansas) was within the boundaries of Louisiana."

This account makes it plain that the 'temporary store' of these traders was built upon the north bank of the Arkansas, at no great distance from the foot-hills. Probability points to the locality at the mouth of our Fountain Creek, in the eastern section of Pueblo, as the place where this pioneer business establishment was erected. So far as known, this structure was the first habitation built by white men in the land of Colorado; and also, so far as known, the first in the entire region of the Rockies north of the southern boundary of our State.

CHAPTER III.

ACQUISITION OF THE PROVINCE OF LOUISIANE BY THE UNITED STATES.—ZEBULON M. PIKE'S EXPEDITION TO THE ROCKY MOUNTAINS.—HIS INSTRUCTIONS FROM GENERAL JAMES WILKINSON.—SPARKS' EXPLORATION OF THE RED RIVER.—PIKE'S DEPARTURE FROM BELLE FONTAINE.—HIS VISITS TO THE VILLAGES OF THE OSAGE AND THE PAWNEE INDIANS.—SPANISH COUNTER-EXPEDITION.—PIKE'S ASCENT OF THE ARKANSAS RIVER INTO THE LAND OF COLORADO.—HIS ENCOUNTER WITH MISCHIEVOUS INDIANS.—HIS BREASTWORK UPON THE SITE OF THE CITY OF PUEBLO.—HIS FAILURE TO REACH THE SUMMIT OF HIS MOUNTAIN MONUMENT.—ERRONEOUS MEASUREMENT OF ITS HEIGHT.—GEOGRAPHICAL MISTAKES.—THE PARTY'S WANDERINGS IN THE COLORADO MOUNTAINS.—COURSE OF THE MARCHES.—PIKE'S BLOCKHOUSE UPON THE SITE OF CAÑON CITY.—PREPARATIONS FOR CROSSING THE SANGRÉ DE CRISTO RANGE.—THE MARCH UP THE WET MOUNTAIN VALLEY.—HARDSHIPS AND SUFFERINGS OF THE LEADER AND HIS MEN.—THEIR DESCENT TO THE RIO GRANDE.—PIKE'S FORT ON THE RIO CONÉJOS.—DR. ROBINSON'S DEPARTURE FOR SANTA FÉ.—ALLEGED PURPOSE OF HIS MISSION.—APPEARANCE OF SPANISH SCOUTS AND A COMPANY OF DRAGOONS.—PIKE AND HIS MEN TAKEN INTO SPANISH CUSTODY AND CONDUCTED TO SANTA FÉ.—PIKE'S RECEPTION BY GOVERNOR ALLENCASTER.—THE PARTY ESCORTED TO CHIHUAHUA.—INTERVIEW WITH GENERAL SALCEDO.—RETURN TO THE UNITED STATES.

When, in the year 1800, France and Spain entered into a treaty—the "Treaty of San Ildefonso"—under which the former again came into possession of all that part of La Salle's Louisiane lying west of the Mississippi River, and also of the "District of New Orleans", the westerly boundaries of this vast extent of territory were not precisely determined, but left indefinite, as they had been when France ceded the region to Spain in 1762. The part of Colorado's domain that became French soil once more, by virtue of that treaty, did not remain so for long. Three years later, Napoleon Bonaparte, then the First Consul of the French Republic, anticipating war with England, and fearing that France, in that event, would be unable to keep the English from taking New Orleans, and so gain a position from which they could easily command the entire remainder of the cession, sold the whole of it, however much it might prove to be, to the United States for \$15,000,000. Napoleon is represented to have said, when he was informed by his ministers, Talleyrand and Barbé-Marbois, that the negotiations had been concluded, "this accession of territory strengthens forever the power of the United States, and I have given to England a maritime rival that will sooner or later humble her pride."

For this deal in real estate, the largest ever consummated by peaceful ways and means, and which turned out for the buyer about as well as any that ever was made, President Thomas Jefferson was most violently denounced by his partisan opponents. The act was one of usurpation, an outrage upon the people, unconstitutional, a shameful waste of public money, and everything else that was bad, but nothing that was good. Even

some of his political associates hesitated about endorsing the extraordinary proceeding. However, the President was upheld by those who had foresight of the United States as a continental republic. No single act by the government of any nation ever yielded results so great and beneficent, directly and indirectly, as those which have followed the purchase of the Province of Louisiane. The transaction has been, as Mr. Jefferson said it would be, "replete with blessings to unborn millions of men."

In 1804, President Jefferson sent an overland expedition, under Captains Meriwether Lewis and William Clark, of the United States Army, into the new territory. These explorers went in boats, from St. Louis, up the Missouri to the headwaters of that river, where they crossed the Continental Divide and then proceeded to the mouth of the Columbia River. Two years later, Zebulon M. Pike, a young officer of the Regular Army, and whose name always will be closely associated with our State, led his historic expedition across the plains to the Rocky Mountains, in Colorado, in obedience to orders from James Wilkinson, then the Commanding-General of the few thousand men who constituted the military force of the United States. In the year before, under instructions from Wilkinson, Pike had successfully conducted an expedition to the far-upper reaches of the Mississippi, partly for exploration and partly for the purpose of making friendly advances to the Indians lodged upon its banks and at the same time to apprise them that the country west of the Great River now belonged to the United States.

The "primary object" of the fresh duty to which Pike now was assigned was that of restoring to their people a band of Osage Indians who had been held as prisoners by the Pottawattomie tribe, of Illinois; and also to escort to their homes several Osage and Pawnee chieftains who had been taken to Washington to visit their new Great Father. These were the "passengers" mentioned by Wilkinson in the first of his formal written orders to Pike, which, in full, were as follows:

"To Lieutenant Z. M. Pike."

"St. Louis, June 27th, 1806."

"Sir:

"YOU are to proceed without delay to the cantonment on the Missouri, where you are to embark the late Osage captives, and the deputation recently returned from Washington, with their presents and baggage, and are to transport the whole up the Missouri and Osage rivers to the town of the Grand Osage. The safe delivery of this charge at the point of destination constitutes the primary object of your expedition, and therefore you are to move with such caution as may prevent surprise from any hostile band, and are to repel with your utmost force any outrage which may be attempted. Having safely deposited your passengers and their property, you are to turn your attention to the accomplishment of a permanent peace between the Kanes and Osage nations, for which purpose you must effect a meeting between the head chiefs of those nations, and are to employ such arguments, deduced from their own obvious interests, as well as the inclinations, desires, and commands of the President of the United States, as may facilitate your purpose and accomplish the end. A third object of considerable magnitude will then claim your attention: It is to effect an interview, and establish a good understanding with the Tetans or Camanches. For this purpose you must interest White Hair of the Grand Osage, with whom and a suitable deputation, you will visit the Panis Republic, where you may find interpreters and inform yourself of the most feasible plan to bring the Camanches to a conference. Should you succeed in this attempt, and no pains must be spared to effect it, you will endeavour to make peace between that distant powerful nation and the nations which inhabit the country between us and them, particularly the Osage; and finally, you will endeavour to induce eight or ten of

their distinguished chiefs to make a visit to the seat of government next September, and you may attach to this deputation four or five Panis and the same number of Kanes chiefs. As your interview with the Camanches will probably lead you to the head branches of the Arkansaw and Red rivers, you may find yourself approximated to the settlements of New Mexico, and therefore it will be necessary you should move with great circumspection, to keep clear of any hunting or reconnoitring parties from that province, and to prevent alarm or offence, because the affairs of Spain and the United States appear to be on the point of amicable adjustment; and, moreover, it is the desire of the President to cultivate the friendship and harmonious intercourse of all the nations of the earth, and particularly our nearest neighbours, the Spaniards.

"In the course of your tour you are to remark particularly upon the geographical structure, the natural history, and population of the country through which you may pass, taking particular care to collect and preserve specimens of everything curious in the mineral and botanical worlds which can be preserved and are portable. Let your courses be regulated by your compass, and your distances by your watch, to be noted in a field-book; and I would advise you, when circumstances permit, to protract and lay down in a separate book the march of a day at every evening's halt.

"The instruments which I have furnished will enable you to ascertain the variation of the magnetic needle, and the latitude, with exactness; and at every remarkable point I wish you to employ your telescope in observing the eclipses of Jupiter's satellites, having previously regulated and adjusted your watch by your quadrant, taking care to note with great nicety the periods of immersion and emersion of the eclipsed satellite. These observations may enable us after your return, by application to the appropriate tables, which I cannot now furnish you, to ascertain the longitude. It is an object of much interest with the executive to ascertain the direction, extent, and navigation of the Arkansaw and Red rivers; as far therefore as may be compatible with these instructions, and practicable to the means you may command, I wish you to carry your views to those subjects, and should circumstances conspire to favour the enterprise, you may detach a party with a few Osages to descend the Arkansaw, under the orders of Lieutenant Wilkinson or Sergeant Ballinger, properly instructed and equipped to take the courses and distances, to remark upon the soil, timber, &c., and to note the tributary streams. This party will, after reaching our post on the Arkansaw, descend to Fort Adams, and there await further orders. And you yourself may descend the Red river, accompanied by a party of the most respectable Camanches to the post of Natchitoches, and there receive further orders. To disburse your necessary expenses, and to aid your negotiations, you are herewith furnished six hundred dollars' worth of goods, for the appropriation of which you are to render a strict account, vouched by documents to be attested by one of your party.

"Wishing you a safe and successful expedition,

"I am, Sir, with much respect and esteem,

"Your very obedient servant,

"JAMES WILKINSON."

"To Lieutenant Z. M. Pike."

"CANTONMENT, MISSOURI, July 12, 1806."

"Sir:

"THE health of the Osages being now generally restored, and all hopes of the speedy recovery of their prisoners from the hands of the Potowatomies being at an end, they have become desirous to commence their journey for their villages; you are therefore to proceed to-morrow. In addition to the instructions given to you on the 24th ultimo. I must require you to have the talks under cover, delivered to White Hair and the Grand Peste, the chief of the Osage band which is settled on the waters of the Arkansaw, together with the belts which accompany them; you will also receive herewith a small belt for the Panis, and a large one for the Tetans or Camanches. Should you find it necessary, you are to give orders to Maugraine, the resident interpreter at the Grand Osage, to attend you. I beg you to take measures for the security and safe return of your boats from the Grand Osage to this place. Doctor Robinson will accompany you as a volunteer; he will be furnished with medicines, and for the accommodation which you give him, he is bound to attend to your sick.

"Should you discover any unlicensed traders in your route, or any person

from this Territory [Louisiana], or from the United States, without a proper license or passport, you are to arrest such person or persons, and dispose of their property as the law directs.

"My confidence in your caution and discretion has prevented my urging you to be vigilant in guarding against the stratagems and treachery of the Indians; holding yourself above alarm and surprise, the composition of your party, though it be small, will secure to you the respect of a host of untutored savages.

"You are to communicate from the Grand Osage, and from every other practicable point, directly to the Secretary of War, transmitting your letters to this place, under cover to the commanding officer, or by any more convenient route. I wish you health, and a successful and honorable expedition, and am yours, with friendship,

JAMES WILKINSON."

From Wilkinson's reference to the Osages and the Pottawatomies it appears that the redemption of other Osage prisoners from captivity among the latter had been expected.

At the time Wilkinson issued these orders to Pike, there was serious and increasing friction between the United States and Spain over the southwestern boundary of the Louisiana Purchase; and, as Spain also had some other rankling grievances, an early declaration of war by the one or the other was thought by many to be inevitable. Moreover, the flying rumors of the purposes of Aaron Burr's conspiracy, which menaced Mexico as well as the Mississippi Valley, already were familiar to Spanish ears. While Pike was making preparations for his expedition into the West he was under constant surveillance by Spanish agents at St. Louis, from whom Spanish authorities in the Southwest received reports before his departure. Of the relations between the two countries and of this spying watchfulness, he says in a foot-note in his *Journal of an Expedition Through the Interior of Louisiana*:

"In the year 1806, our affairs with Spain began to wear a very serious aspect, and the troops of the two governments almost came to actual hostilities on the frontiers of Texas and the Orleans territory. At this time, when matters bore every appearance of coming to a crisis, I was fitting out for my expedition from St. Louis, when some of the Spanish emissaries in that country transmitted the information to Majar, Merior, and the Spanish council at that place, who immediately forwarded the information to Captain Sebastian Roderiques, the then commandant of Nacogdoches, who forwarded it to Colonel [Don Antonio] Cordero, by whom it was transmitted to the seat of government. This information was personally communicated to me, as an instance of the rapid means they possessed of conveying intelligence relative to the occurrences transacting on our frontiers."

Early in the spring of that year, a small military party, commanded by Captain Richard Sparks, of the United States Army, left Natchez in boats to explore the Red River to its sources. His company consisted of Lieutenant Enoch Humphreys, two non-commissioned officers and fifteen private soldiers, of the Regular Army; a negro servant, and two civilians—Thomas Freeman and Dr. ——— Custis. Sparks had been instructed to ascend the Red in his boats to the village of a detached clan of Pawnee Indians, dwelling near its headwaters. From these people he was to purchase horses to be used for carrying his equipment and supplies, and then to "proceed to the top of the mountains", which were considered to be "about 300 miles distant" from this Pawnee village. But when he reached its neighborhood, he encountered a force of Spanish dragoons, under Captain Don Francisco Viana, who, with his troops, had been sent from the Spanish post at Nacogdoches, in Texas, to intercept the Americans and

compel them to withdraw from the country. As the Spaniards outnumbered his party several times, Captain Sparks abandoned his enterprise and went back down the river.

Pike left St. Louis on July 11, 1806, and went to Belle Fontaine, on the right bank of the Missouri River, six miles from its mouth, where the cantonment was located. From this place, in the afternoon of July 15th, he and his party started up the Missouri in two large boats, accompanied by fifty-one Indians, who traveled afoot along the river, on the south side. His command proper consisted of Lieutenant James B. Wilkinson (a son of the General), Dr. John H. Robinson, Sergeants Joseph Ballenger and William E. Meek, Corporal Jeremiah Jackson, Interpreter A. T. Baronet Vasquez (a native of St. Louis, whom Pike usually called "Baroney"), and sixteen private soldiers of the Regular Army—John Boley, Samuel Bradley, John Brown, Jacob Carter, Thomas Dougherty, William Gorden, Solomon Huddleston, Henry Kennerman, Theodore Miller, Hugh Menaugh, John Mountjoy, Alexander Roy, John Sparks, Patrick Smith, Freegift Stoute and John Wilson. Kennerman deserted when a few days out.

The expedition proceeded up the Missouri to the Osage River, and thence by that stream and its north fork to a point nearest the "Grand Osage" village, which was reached by a short march westward—six weeks after the departure from Belle Fontaine. This Indian town was situated on or near the Missouri-Kansas boundary, some fifteen or twenty miles northeastward of the present city of Fort Scott, Kansas. Here the Osage captives were delivered to their people, and from the Indians of the village Pike procured pack-horses for his journey into the West.

Here, on the 20th of August, Pike received additional advices from General Wilkinson, dated August 6th, and which had been sent from the cantonment at Belle Fontaine by a swift-footed messenger. In order that his entire open instructions for the expedition may be placed before the readers of these pages, these supplemental directions are, in the following, reproduced in full:

"To Lieutenant Pike."

"CANTONMENT, MISSOURI, August 6, 1806."

"Sir:

"IN consequence of the receipt of the enclosed letters, I have thought proper to send you an express to enable you to announce to the Osage the designs of their enemies, that they may take seasonable measures to circumvent them. You will not fail, in addition to the within talk, to enhance our paternal regard for this nation by every proper expression; but are to keep clear of any conflict in which they may be involved, though you are to avoid the appearance of abandoning them. If it should be the Potowatomies' intention to carry their threat into execution, it is probable they will not attempt to make the blow before the falling of the leaves; and in the meantime the Osages should establish a chain of light scouts along the coast of the Missouri, to ascertain with certainty the approach of their enemy.

"It is reduced to a certainty that _____ [blank, thus, in Pike's published account: but it is known now that the person referred to was Manuel de Lisa, a conspicuous fur trader at St. Louis] and a society of which he is the ostensible leader have determined on a project to open some commercial intercourse with Santa Fé; and as this may lead to a connection injurious to the United States, and will, I understand, be attempted without the sanction of law or the permission of the Executive, you must do what, consistently, you can to defeat the plan. No good can be derived to the United States from such a project, because the prosecution of it will depend entirely on the Spaniards, and they will not permit it,

unless to serve their political as well as their personal interests. I am informed that the ensuing autumn and winter will be employed in reconnoitring and opening a connection with the Tetans, Panis, &c.; that this fall, or the next winter, a grand magazine is to be established at the Osage towns, where these operations will commence; that ————— [De Lisa] is to be the active agent, having formed a connection with the Tetans. This will carry forward their merchandise within three or four days' travel of the Spanish settlements, where they will deposit it under a guard of 300 Tetans. ————— [De Lisa] will then go forward with four or five attendants, taking with him some jewelry and fine goods. With these he will visit the Governor, to whom he will make presents, and implore his pity by a fine tale of sufferings which have been endured by the change of government: that they are left here, with goods to be sure, but not a dollar's worth of bullion, and therefore they have adventured to see him, for the purpose of praying his leave for the introduction of their property into the Province. If he assents, then the whole of the goods will be carried forward; if he refuses, then ————— [De Lisa] will invite some of his countrymen to accompany him to his deposit, and having there exposed to them his merchandize, he will endeavour to open a forced or clandestine trade; for, he observes, the Spaniards will not dare to attack his camp. Here you have the plan, and you must take all prudent and lawful means to blow it up.

"In regard to your approximation to the Spanish settlements, should your route lead you near them, or should you fall in with any of their parties, your conduct must be marked by such circumspection and discretion as may prevent alarm or conflict, as you will be held responsible for consequences. On this subject I refer you to my orders. We have nothing new respecting the pending negotiations in Europe, but from Colonel [T. H.] Cushing I understand the Spaniards below are behaving now with great courtesy.

"By the return of the bearer you may open your correspondence with the Secretary of War [General Henry Dearborn]; but I would caution you against anticipating a step before you, for fear of deception and disappointment. To me you may, and must, write fully and freely, not only giving a minute detail of every thing past worthy of note, but also of your prospects and the conduct of the Indians. If you discover that any tricks have been played from St. Louis, you will give them to me with names, and must not fail to give particulars to the Secretary of War, with names, to warn him against improper confidence and deception. Inclose your dispatch for me to Colonel Hunt, and it will follow me by a party which I leave for the purpose. It is interesting to you to reach Natchitoches in season to be at the seat of government pending the session of Congress; yet you must not sacrifice any essential object to this point. Should fortune favour you on your present excursion, your importance to our country will, I think, make your future life comfortable.

"To shew you how to correct your watch by the quadrant, after it has been carefully adjusted, preparatory to your observing on the eclipses of the satellites of Jupiter, I send you a very simple plan, which you will readily understand: a basin of water, in some place protected from the motion of the air, will give you a fairer artificial horizon than Mereury [the metal]. I think a tent, with a suitable aperture in the side of it, would do very well. I have generally unroofed a cabin.

"Miranda has botched his business. He has lost two schooners captured, and himself in the Leander returned to Jamaica. The French have a squadron of four frigates at Porto Rico, and of five sail of the line with Jerome Bonaparte at Martinique. I consider them lost.

"Your children have been indisposed; but Mrs. Pike writes you. She appears well.

"My regards to your associates, and may God protect you.

"J. WILKINSON."

Pike left the "Grand Osage" village on September 1st, "about twelve o'clock with fifteen loaded horses. Our party consisting of two Lieutenants [himself and Wilkinson], one Doctor, two Sergeants, one Corporal, fifteen Privates, two interpreters [one of whom was released soon afterward], three Pawnees, and four chiefs of the Grand Osage, amounting in all to

thirty warriors [counting all the white men as such], and one woman". His course until noon of the third day was south by east, when he turned to the right and bore northwestward through Kansas, arriving at his destination among the Pawnees—"the Pawnee Republic"—on September 25th, without having had serious mishap or adventure. The country he had traversed was "black with buffalo". Some writers have located the Pawnee Republic in Nebraska, on the Republican River, just over the middle of the northern boundary of Kansas"; but more probable determinations place its locality in the northwestern part of the present Republic County, Kansas, and which borders Nebraska.

A large body of Spanish troops had preceded Pike to the Pawnee Republic. A Pawnee hunter, whom he had met on September 23d, told him that "a party of 300 Spaniards lately had been as far as the Saline, but for what purpose was unknown". Upon the arrival of the Americans at the Pawnee capital, the head chieftain of the town gave them "many particulars, which were interesting to us, relative to the late visit of the Spaniards". Having had early knowledge of Captain Sparks' expedition up the Red River, and being exceedingly suspicious of the purposes of the American government in the Southwest, the Spanish authorities also had organized and despatched a military force from Santa Fé into the central plains country to intercept American intruders upon the Spanish border in that quarter, and to enter into treaties of amity and alliance with the plains Indians. Of this militant Spanish counter-campaign, I quote from the account given of it by our explorer in a foot-note in his *Journal* (etc.), which was written in the form we have it after his return to the United States:

"I will here attempt to give some memoranda of this expedition, which was the most important ever sent out of the province of New Mexico; and in fact the only one directed to the north-eastward, except that mentioned by the Abbe Raynal, in his History of the Indies, to the Pawness. . . . The expedition . . . had three objects in view: first, to descend the Red River, in order that if they met our expedition to intercept and turn it back; or should Major Sparks and Mr. Freeman have missed the [Spanish] party from Nacogdoches, under the command of Captain Viana, to oblige them to return, and not penetrate farther into the country, or make them prisoners of war.

"Secondly, to explore and examine all the internal parts of the country, from the frontiers of the province of New Mexico to the Missouri, between the La Platte [the Platte] [sentence left unfinished].

"Thirdly, to visit the Tetans, Pawnees Republic, Grand Pawnees, Pawnee Mahaws, and Kans. To the head chief of each of these nations, the commanding officer bore flags, a commission, grand medal, and four mules; and with each of them he had to renew the chains of ancient amity, which was said to have existed between their father, his Most Catholic Majesty, and his children, the red people.

"The commanding officer also bore positive orders to oblige all parties or persons in the above specified countries, either to retire from them into the acknowledged territories of the United States, or to make prisoners of them, and conduct them into the province of New Mexico.

"Lieut. Don Facundo Malgares, the officer selected from the five internal provinces to command this expedition, was an European, and his uncle was at that time one of the royal judges of the kingdom of New Spain. He had distinguished himself in several long expeditions against the Appaches and other Indian nations, with whom the Spaniards were at war: added to these circumstances, he was a man of immense fortune, and generous in its disposal, almost to profusion: possessed a liberal education, a high sense of honor, and a disposition formed for military enterprise.

"This officer marched from the province of Biscay, with one hundred dragoons of the regular service, and at Santa Fé, the place where the expedition was fitted out, he was joined by five hundred of the mounted militia of that province, armed after the manner described by my notes on that subject, and completely equipped with ammunition, &c., for six months; each man leading with him (by order) two horses and one mule. The whole number of their beasts was two thousand and seventy-five. They descended the Red River two hundred and thirty-three leagues. Met the grand bands of the Tetans, held councils with them; then struck off to the northeast, and crossed the country to the Arkansaw, where Lieut. Malgares left two hundred and forty of his men, with the lame and tired horses, whilst he proceeded on with the rest to the Pawnee Republic. Here he was met by the chiefs and warriors of the Grand Pawnees; held councils with the two nations, and presented them the flags, medals, &c., which were designed for them. He did not proceed on to the execution of his missions with the Pawnee Mahaws and the Kans, as he represented to me [after Pike was taken to Santa Fé], from the poverty of their horses and the discontent of his own men; but, as I conceive, from the suspicion and discontent which began to arise between the Spaniards and the Indians. The former wishing to revenge the death of Villeneuve and his party, whilst the latter possessed all the suspicions of conscious villany, deserving punishment.

"Malgares took with him all the traders he found there from our country, some of whom being sent to Natchitoches, were in abject poverty at that place on my arrival, and applied to me for means to return to St. Louis. Lieutenant Malgares returned to Santa Fé in October, when his militia was disbanded; but he remained in the vicinity of that place until we were brought in, when with his dragoons he became our escort to the seat of government" [in Chihuahua].

It is probable that Malgares left Santa Fé about the middle of June, as a commission carried by him to the chief of the Pawnees bore that date. His course was down the Canadian River, thence northeast to the Arkansas, and thence on to the Pawnee villages, at which he held a grand council.

Pike was well received by the Pawnees, but his visit was without any result of importance sufficient to warrant the long detour he had made to reach them. He induced their head men to enter into a "treaty" with the Osages who accompanied him, and which document he and Lieutenant Wilkinson attested. In this pact, the principal parties "jointly bind themselves in behalf of and for their respective nations, to observe a friendly intercourse, and keep a permanent peace, and mutually pledge themselves to use their every influence to further the commands and wishes of their Great Father" [the President of the United States]. As Indian treaty-making was understood also to include the spot-delivery of presents, it is quite probable that Pike had no difficulty in persuading the Pawnees thus to shake hands with his Osages—with a mental reservation to do as they pleased after his back was turned. Beyond this transaction the Americans accomplished nothing by their visit to the Pawnee Republic.

Pike departed from his Pawnee friends on October 8th, with three Osage braves as guides (one of which left him a few days later), following the homeward trail of the Spanish dragoons, the course of which was south by west, and arrived at the Arkansas River on the 18th, at a point near the site of the present Kansas town of Great Bend. Here he crossed the stream and made camp upon its southward bank, where the party tarried ten days, when Lieutenant Wilkinson, five soldiers and the remaining two Osage guides were detached to descend the river "to our post on the Arkansaw", in compliance with General Wilkinson's instructions. These adventurers set out upon their voyage on October 28th, in two improvised boats, and landed at their destination on the 9th of the next January.

Recrossing the Arkansas on the day of Wilkinson's "sailing", Pike,

now having with him Dr. Robinson, Interpreter Vasquez. Sergeant Meek, Corporal Jackson, and privates Brown, Carter, Dougherty, Gorden, Menaugh, Miller, Mountjoy, Roy, Smith, Sparks and Stoute, but no guide, started westward on the northward bank of the river, following the homeward trail of the Spanish troops. On the 30th, the party again crossed to the southward bank of the Arkansas, as the Spaniards had done, and continued on that course into the land of Colorado.

On the 15th of November, Pike had his first glimpse of the parts of the Rocky Mountains which include the lofty peak that now bears his name, when he was near the mouth of the Purgatory River, which he called the "First Fork". Of this incident, the explorer says in his *Journal*:

"At two o'clock in the afternoon, I thought I could distinguish a mountain to our right, which appeared like a small blue cloud; viewed it with the spy-glass, and was still more confirmed in my conjecture, yet only communicated it to Dr. Robinson, who was in front of me, but in half an hour it appeared in full view before us. When our small party arrived on the hill, they with one accord gave three cheers to the Mexican Mountains. Their appearance can easily be imagined by those who have crossed the Alleghany, but their sides were white as if covered with snow, or a white stone."

During the next several days, as the party moved on up the Arkansas, the mountains seemed to be about as far away as when first discovered—a phenomenon that has surprised many a traveler since Pike's time, and which he thus recorded under date of November 17th:

"Marched at our usual hour: pushed on with an idea of arriving at the mountains, but found at night no visible difference in their appearance from what we had observed yesterday."

Continuing the march, still upon the southward bank of the Arkansas, the wayfarers crossed the Huerfano River, which Pike called the "Second Fork", on November 22d. On the next day, which was Sunday, they "came up to the third fork on the south side, and encamped at night on the point of the Grand Forks". The "third fork" was the St. Charles River—the "San Carlos" of the Spaniards—which, as with its branch, the Greenhorn, rises in the Wet Mountains, off to the southwest, flows northeast and discharges into the Arkansas, near the eastward limits of our city of Pueblo. By the "Grand Forks", the Arkansas and the St. Charles appear to have been meant; and the "point" would seem to have been the peninsula between those streams at their confluence.

The entire journey from the Pawnee Republic had been without serious adventure, and with a few exceptions the *Journal* is rather monotonous, being made up of accounts of hunting buffalos and wild horses, and of routine details of marching, camping and the like. When on the trail from the Pawnee capital to the Arkansas, Pike and Robinson became separated from the party while chasing buffalos, their three days' absence causing much uneasiness among the others. The discovery, on November 21st, of "the tracks of two men who had ascended the river yesterday, caused us to move with caution, but at the same time increased our anxiety to overtake them". No one knows who these men were. On the day before reaching the "point of the Grand Forks", the expedition encountered, at the mouth of the Huerfano River, a mischievous band of sixty Pawnee warriors, who had been on a raid into the Comanches' country. These threatened to make

trouble for the Americans, but after receiving some presents and helping themselves to "one sword, a tomahawk, a broad-axe, five canteens, and sundry small articles" they put out toward home. "When I reflected on the subject", says Pike, "I felt sincerely mortified that the smallness of my number obliged me thus to submit to the insults of lawless banditti, it being the first time a savage had ever taken anything from me with the least appearance of force".

Although the snow and cold of an early and hard winter now were in possession of the country around him, Pike rashly decided to go to the summit of the "Blue Mountain" or "Grand Peak", which towered to what seemed to be no great distance northward, and of which he had a fine view from the "point of the Grand Forks". Under date of November 23d, he says that "as the river appeared to be dividing itself into several small branches, and of course must be near its extreme source, I concluded to put my party in a defensible situation, and ascend the north fork [the Fontaine qui Bouille] to the high point of the Blue Mountain, which we conceived would be one day's march, in order to be enabled from its summit to lay down the various branches of the river and the positions of the country". Therefore, early in the next morning, he had his men "cut down fourteen logs, and put up a breastwork five feet high on three sides, and the other was thrown on the river".

According to Pike's *Chart of the Internal Part of Louisiana*, which accompanies his *Journal*, and which is very inaccurate in many respects, the breastwork was not built upon the "point of the Grand Forks", but upon the southward bank of the Arkansas, at a place apparently about as far above the mouth of the Fontaine as the distance between the mouth of that creek and that of the St. Charles. He represents the Arkansas as describing, from the fortification to the mouth of the St. Charles, a semicircle, and has the Fontaine discharge into the river at the half-way point on this bend. However, it is likely that the breastwork was nearer the mouth of the Fontaine than the chart shows—that its site is not far from the locality in which Pueblo's Union Avenue crosses the river. The spot never has been identified, and probably never will be. As the open rear of the fortification was "thrown on the river"—was near the water's edge—the chances are that the whole thing was washed away by the next flood-rise of the stream; or if not so, that its logs soon were used by Indians for camp-fire fuel, or for that purpose by some of the white fur-gatherers who were upon the ground a few years after the coming and going of Pike's party. Doubtless the breastwork was a lightly-constructed affair.

So far as there is any known record, this temporary defense was the first structure raised by Americans anywhere within the limits of the State of Colorado. But it is highly probable that an American trader among the Indians on the Platte and South Platte rivers, who figures upon other pages of this volume, and who was in the mountains at the head of the South Platte in the year 1803-04, had built a cabin or some other kind of habitation while sojourning there. If Pike ran up the American flag over his breastwork, that was the first time the stars and stripes ever floated in the air of Colorado. Although he does not mention having done so, it would have been in keeping with the daring of his character

so to have flaunted his flag while knowing that his fortification stood upon soil that was claimed by Spain.

Having seen the eighteen logs placed in position, Pike, Dr. Robinson and two of the soldiers started at one o'clock on the 24th upon their tramp to the summit of the peak, "with an idea of arriving at the foot of the mountain" before evening. Here we have the ultimate form of the now familiar and tattered story about the stranger in Denver expecting to walk to the mountains and back before breakfast. Of the distance to the summit of the peak, about fifty miles as the crow is said to fly, the four men made but twelve on that day. In the next morning, Pike and his companions "marched early, with the expectation of ascending the mountain, but was only able to encamp at its base, after passing over many small hills covered with cedars and pitch pines". But instead of being at the base of the Grand Peak, they were at the foot of an elevation to the southeast of it, most probably Cheyenne Mountain, the summit of which is eight or ten miles from that of Pike's Peak. On the 26th, they began the ascent of this mountain, supposing that they were now nearing their goal. "Expecting to return to our camp that evening", says Pike, "we left all our blankets and provisions at the foot of the mountain". They "found the way very difficult, being obliged to climb up rocks sometimes almost perpendicular, and after marching all day we encamped in a cave without blankets, victuals, or water". They attained the summit of the mountain on the next day, and were astonished by finding that they were not upon the Grand Peak. Of this day's experience, Pike relates the following:

"Arose hungry, thirsty, and extremely sore from the unevenness of the rocks on which we had lain all night; but were amply compensated for our toil by the sublimity of the prospects below. The unbounded prairie was overhung with clouds, which appeared like the ocean in a storm, wave piled on wave, and foaming, whilst the sky over our heads was perfectly clear. Commenced our march up the mountain, and in about one hour arrived at the summit of this chain; here we found the snow middle deep, and discovered no sign of beast or bird inhabiting this region. The thermometer which stood at 9 degrees above zero at the foot of the mountain, here fell to 4 degrees below. The summit of the Grand Peak, which was entirely bare of vegetation, and covered with snow, now appeared at the distance of fifteen or sixteen miles from us, and as high again as that we had ascended; it would have taken a whole day's march to have arrived at its base, when I believe no human being could have ascended to its summit. This, with the condition of my soldiers, who had only light overhauls on, and no stockings, and were every way ill-provided to endure the inclemency of this region, the bad prospect of killing anything to subsist on, with the further detention of two or three days which it must occasion, determined us to return. The clouds from below had now ascended the mountain and entirely enveloped the summit, on which rest eternal snows. We descended by a long deep ravine with much less difficulty than we had contemplated. Found all our baggage safe, but the provisions all destroyed. It began to snow, and we sought shelter under the side of a projecting rock, where we all four made a meal on one partridge, and a pair of deer's ribs which the ravens had left us, being the first food we had eaten for forty-eight hours."

So ended the first attempt by Americans to scale Colorado's famous landmark, to the summit of which the locomotive takes us nowadays. The party, after the descent of Cheyenne Mountain, occupied two days, November 28th and 29th, in returning to the camp near the mouth of the Fontaine. On the 28th, the disappointed explorers killed two buffalos, "when we made the first full meal we had eaten for three days".

Pike abandoned the breastwork-camp in the morning of the 30th and moved slowly up the Arkansas, crossing to its north bank on December 2d. The weather had become stormy and very cold, and every member of the expedition suffered severely. Of the existing conditions and the party's hardships at this time, Pike tells:

"The storm still continuing with violence, we remained encamped; the snow by night was one foot deep, our horses being obliged to scrape it away to obtain their miserable pittance. To increase their misfortune, the poor animals were attacked by the magpies, which, attracted by the scent of their sore backs, alighted on them, and in defiance of their whinnying and kicking, picked many places quite raw; the difficulty of procuring food rendered these birds so bold as to alight on our men's arms and eat meat out of their hands. . . . It cleared off in the night, and in the morning the thermometer stood at 17 degrees below zero (Reaumer), being three times as cold as any morning we had yet experienced. . . . The hardships of my last voyage [apparently meaning his journey to the top of Cheyenne Mountain] now began to be again experienced [the thermometer now standing at 3 degrees below zero], and had the climate been as severe as that to which I was then exposed, some of the men must have perished, for they had no winter clothing. I wore myself cotton overhauls, for I had not calculated on being out in this inelement season of the year."

On December 3d, the leader, with Dr. Robinson and some assistants, "went out and took the altitude of the north mountain [the Grand Peak] on the base of a mile", but their calculations of the data obtained added about 4,400 feet to the actual height of the peak, the error being due chiefly to their overestimate of the elevation of their base. In a foot-note in his *Journal* the explorer says:

"The perpendicular height of the mountain from the level of the prairie, we found to be 10,581 feet, and admitting the prairie to be 8,000 feet above the level of the sea, it would make the elevation of this peak 18,581 feet. . . . Indeed it was so remarkable as to be known to all the savage nations for hundreds of miles around, and to be spoken of with admiration by the Spaniards of New Mexico, and formed the bounds of their travels to the N. W. [Northwest]. In our wanderings in the mountains from the 15th November [the day on which the party first saw the summit of the Grand Peak] to the 27th January, it was never out of our sight, except when we were in a valley."

According to General Wilkinson's orders, "a third object of considerable magnitude" was to have received Pike's attention after he had visited the Pawnee Republic. This was "to effect an interview and establish a good understanding with the Tetans or Camanches". But this duty had received no attention whatever from him, nor does he refer to it in his account of his journey up the Arkansas. At that time it was well known, and doubtless by his interpreter, that the habitat of these Indians was in and around the country of the Red River's upper reaches, and there was no great scarcity of maps of the West that indicated its direction and distance from the Arkansas. While Pike seems to have been unprovided with anything in the form of a map of the region he had set out to explore, he could easily have obtained, if Interpreter Vasquez were ignorant, some definite knowledge of the Comanches' whereabouts, and also of the way to the Red River, from the band of marauding Pawnees, whom he met near the mouth of the Huerfano, on November 22d. But he sought no information from them.

The explorers now continued their march up the Arkansas, along its

northward bank, and on December 5th encamped upon or very near the site of our Cañon City, according to Pike's chart, though in his narrative he makes this camping-place sixty-six miles distant from the breastwork, near the mouth of the Fontaine. The error lies in his estimate of the number of miles he had traveled from that point: for, as we shall see presently, he was still below the Grand Cañon. His Spanish friends, whose trail he had followed from the Pawnee Republic to the breastwork-camp, had gone on, upon the southward bank of the Arkansas, to the foot-hills, where before turning to a southerly course toward Santa Fé, they sent a detachment into the mountains to search for him. They had been on the watch constantly for the American expedition, thinking that perhaps it had abandoned the projected visit to the Pawnees and proceeded directly westward from the Osage country either to the head of the Red River or to the mountains. From the Cañon City camp, Pike sent out several small parties of his men "in search of the Spanish trace". One of these "ascended until the river was merely a brook, bounded on both sides with perpendicular rocks [the Grand Cañon], impracticable for horses ever to pass". Another discovered upon the southward bank of the river a trail which the men recognized as having been made by Spanish dragoons. Pike, "on examining the trace found yesterday, conceived it to have been only that of a reconnoitring party detached from the main body".

Pike and his men now began a series of wanderings in bewilderment through the rocky defiles and into the narrow mountain-valleys between the Arkansas River and the South Park, and had a hard time while they groped their way along the streams and over the dividing ridges. The cold was severe, the snow waist-deep in many places, and not one of the men was even half-clad for such service. Provisions ran low, game was very scarce and shy, and therefore to the suffering caused by coldness was added the misery of extreme hunger, all hands having to fast frequently for forty-eight hours at a stretch. Their pack-horses suffered with them and became enfeebled, as the pasturage in the valleys was for the greater part of the journey buried beyond reach under the mantle of snow. These rangings were not ended until January 5th (1807), when the dilapidated party, after having moved in a great circle for about a month, returned to and reoccupied the camp on the site of Cañon City. In most of the mountain recesses they had traversed they were the first Americans who had ever set foot.

The course of their tedious marching can not always be determined with any satisfactory approach to exactness. Pike's chart is so inaccurate that it is of no great assistance, and as the section through which the party went is so hastily sketched in the narrative and the streams which were followed are so confusingly described, no one now can identify and say for certain in every particular just where and how far the band of brave and hardy men wandered. Pike notes frequent halts "to take meridional observation", but the results of these are not brought out in the text of his account, and even compass-directions are scarcely mentioned. Furthermore, the "distance advanced" upon each day's march obviously is over-estimated. Doubtless some of the uncertainties are due to the seizure and retention of his records and papers by the Spanish authorities at Santa Fé and Chihuahua, and to his borrowing from Spanish maps. But not all of his records were thus lost, copies of his original notes for his

Journal having been made and retained. Of this, Pike says in a long letter he wrote to General Wilkinson, from Natchitoches, on July 5, 1807:

" . . . The General will please to recollect that my journals were saved at Santa Fé, which were continued and are entire to this post; a fortunate circumstance of the Doctor's [Robinson] having copied my courses and distances through all the route (except an excursion we made to the source of the River La Plate [the South Platte]) to the Spanish territories, and preserved them. These will enable me to exhibit a correct chart of the route, although not so minutely as the one seized on, which was laid down daily by the eye and angular observations. Thus my only essential papers lost were my astronomical observations, meteorological tables, and a book containing remarks on minerals, plants, &c., with the manners, population, customs, &c., of the savages; but the results of the former were in part communicated, and probably my journal may supply part of the others, and our memories will make the loss of the latter of but little consequence."

The truth of the matter is that Pike, himself, had been lost as to latitude and longitude from the time he struck the Arkansas River. In his letter to Wilkinson, from which the above extract was taken, he says most of his instruments "were ruined in the mountains by falling of the horses from precipices, &c."; yet he had continued to use them in making meridional observations while on his way from the Arkansas River to Santa Fé. However, as things turned out, our hero did not distinguish himself as an explorer when in the Far West, and was not far from total failure as a geographer. No great number of the eighteenth century mapmakers, with all their guessing, did much worse than he in their dealings with the central part of the region west of the Mississippi. In a letter written at Washington City, in January, 1808, to Secretary Dearborn, after mentioning the loss of his papers at the hands of the Spanish authorities, he says that

"although I retained a Copy of Courses, Distances, &c.—by which I have been enabled to retrace my plans, and routes, yet they necessarily are not so perfect as the Original and daily protractions would have made them: . . . But what I regret the most was my Astronomical Observations having taken at Several of the most important points, the necessary Data, from which on my arrival at the United States, and having it in my power to refer to the appropriate tables and Calculations, I could have fixed the Latt. and Longitude and thereby secured the Great Geographical Object of giving a Determinate position to Various and important points of our Country. . . . The few notes you see of the Latt. are ascertained from letters I wrote Genl. Wilkinson at different periods and the longitude would have been preserved in the same manner had I have had tables with me which would have enabled me to calculate the immersions and emersions;—as well as angular distances at the time the observations were taken. In the Chart herewith I have included all the Country between the La Plate of the Missouri and the Red river of the Mississippi: and although it is, and from the nature of our information of that immense district *must be*, very imperfect; yet I do not hesitate to assert it is the best extant. . . ."

Still, a more competent explorer readily could have done much better under such circumstances. The ascertainment of latitude is comparatively an easy thing, and had Pike more carefully estimated his daily "distance advanced" westward upon the plains he should have been able more closely to approximate his longitude. His chart is not only badly at fault as to details, but as a whole is far displaced geographically. The effects of his mistakes put the entire region covered by the chart much too far west and north, as may be illustrated by using the latitude and longitude in

which it places the grand landmark that now bears his name. It has the summit of this "Highest Peak", as he calls it upon his map, in latitude 40 degrees 48 minutes, and in longitude 111 degrees 27 minutes, which determinations would locate it twenty-five or thirty miles east by north of Salt Lake City; or about 130 miles west of the western boundary of Colorado and almost in line with the State's northern boundary.

However, there can be no reasonable doubt that Pike reached the headwaters of the South Platte, in the South Park, for upon no other assumption can the courses of some of the streams he followed, as he mentions them in his *Journal*, be reconciled with the facts of modern geography. It is also apparent that he led his men into the far-upper part of the mountain-valley of the Arkansas—into the neighborhood of Leadville. Some commentators have thought it possible that he crossed the Continental Divide, in that direction, penetrated to the headwaters of the Gunnison, and there turned back. But neither his chart nor his narrative lends any support to such a conclusion.

When he left the Cañon City camp, on December 10th, Pike diverged from the Arkansas and, according to his map, took a course bearing northwesterly. He "found the road over the mountain to be excellent", and on the next day's march "struck a branch of the Arkansas". A northwesterly course would imply that this branch was Currant Creek, which discharges into the Arkansas at Parkdale, at the upper end of the "Royal Gorge", but the best that can be made out from his *Journal* requires his course to have been northward and identifies the branch with Oil Creek. Continuing up this stream and its western fork, now known as Ten Mile Creek, he crossed, at noon of the 13th, "a dividing ridge, and immediately fell on a small branch running North 20 degrees West". "There being no appearance of wood", says Pike, "we left it, together with the Spanish trace, to our right, and made for the hills to encamp. After the halt I took my gun and went out to see what discovery I could make. After marching about two miles north, I fell on a river 40 yards wide, frozen over, which, after some investigation, I found ran North-east".

The presence of a northeastern-flowing river in the locality in which the party was now encamped "was the occasion of much surprise", remarks Pike, "as we were taught to expect to meet with the branches of the Red river, which should have run southeast. Query, must it not be the headwater of the River Plate? If so, the Missouri must run much more to the west than is generally represented. For the Plate is a small river, by no means calculated to excite an expectation of so extensive a course". Pike seems to have started upon his expedition with very little geographical knowledge of the trans-mississippi country. The course of the Missouri, as far as eastern Montana, above the mouth of the Yellowstone River, then was so well known by fur traders that the purport of his reference to it affords another bit of evidence of his unpreparedness for such an enterprise as he had undertaken. But there is practically no room for doubting that he had now struck the South Platte River, near its entrance into what is now called Eleven Mile Cañon, which is at a point about twelve miles to the west of the town of Florissant, on the Colorado Midland Railway. The leader says that "as the geography of the country had turned out to be so different from our expectations, we were somewhat at a loss

which course to pursue, unless we attempted to cross the snow-capt mountains to the south-east of us, which appeared to be almost impossible”.

However, during the next three days the party ascended, by short marches, the puzzling river which flowed northeast, and on the fourth (December 17th) turned up “a left hand fork” and “ascended it some distance, but finding it to bear too much to the north, we encamped about two miles from it.” It appears that this camping-place was near the site of Hartsel Station, on the Midland Railway. Pike says that both sides of the section of the river which he had followed during these four days “were covered with old Indian camps, at which we found corn cribs”, and that from these he was “induced to believe that these savages, though erratic, must remain long enough in one place to cultivate grain, or must obtain it from the Spaniards. From their sign they must have been extremely numerous, and have possessed vast numbers of horses”. One of the party “found a large camp which had been occupied by at least three thousand Indians, with a large cross in the middle”. The presence of the latter prompted Pike to note this inquiry: “Are these people Catholics?” He suspected that some of the many camp-tokens might have been left by the Spanish reconnoitering party, but “it was impossible to say which course the Spaniards had pursued among the multiplicity of signs”.

On the 18th of December, the wanderers “marched and crossed the mountains which lay south-west of us”—the chain now known as the Park Range—and entered upon the Arkansas River watershed. Pike’s map shows that before making this crossing, the party, or some members of it, had gone from the camp near Hartsel Station to a point northwesterly, apparently at a distance of some forty miles, where another river was discovered. This “side-trip” is not recorded in proper sequence in the *Journal*, nor are any particulars of it given elsewhere. Indeed, it is known in the story only by an implication. This appears under date of January 5th (1807), where the leader, after referring to his “great mortification” because he had traveled in a circle until he had returned to the Cañon City camp, “which we had left nearly one month since”, goes on to say:

“I consoled myself with the knowledge I had acquired of the source of the Plate and Arkansas rivers, with the river to the north-west, supposed to be the Pierre Jaun, which scarcely any person but a madman would ever purposely attempt to trace any further than the entrance of these mountains, which had hitherto secured their sources from the scrutinizing eye of civilized man.”

About forty miles of the stream “supposed to be the Pierre Juan” (from the French “pierre juane”—yellow rock or stone—hence the French name of the “Yellowstone” River) appears on Pike’s chart, where it is labeled “Yellowstone Riv. Branch of the Missouri”, although the nearest headwater of the Yellowstone was more than 400 miles away. The North Fork of the South Platte partly encircles the South Park on the north, but in its upper reaches is not of greater magnitude than a fair-sized mountain creek. The other branch, which retains the name “South Platte”, has a similar course through the southeastern and southern parts of the park. As Pike gives no account of a journey to his Pierre Juan, we are forced to the conclusion that the whole matter of this river is fictitious—that it came to his mind as an afterthought. His *Journal* allows no time for a side round-trip to it, as it states that he camped near the “left hand

fork" on December 17th, and that on the next day he "crossed the mountains which lay Southwest of us".

After crossing the Park Range, on December 18th, the party descended Trout Creek, a tributary of the Arkansas, and encamped about four miles from its mouth. Late in the afternoon of that day, Pike and Dr. Robinson "went out to make discoveries, as was our usual custom, and in about four miles march struck what we supposed to be Red river, which was here about 25 yards wide, ran with great rapidity, and was full of rocks. We returned to the party with the news, which gave great pleasure". So they moved down to the supposed Red River the next day, and made camp upon its left bank, at a place believed to be about six miles below our town of Buena Vista. Here they remained until the 21st, when Pike and two of the soldiers (Mountjoy and Miller) started to explore the Arkansas farther up, while the rest of the company proceeded down the river. According to Pike's figures, he and his two companions, in two days of tramping, ascended the Arkansas twenty-five miles, "to a large point of the mountains, whence we had a view of at least thirty-five miles, to where the river entered the mountain". Here, at the limit of their trudge up the Arkansas, Pike and his two soldiers were about sixteen miles from the site of Leadville; but they could not have seen the course of the river, even from a lofty eminence, much beyond the immediate locality of that city. "My little excursion up the river", says Pike, "had been undertaken with a view of establishing the geography of the sources of the (supposed) Red river I determined that its upper branches should be well explored".

Turning back, the weather being "extremely cold", Pike overtook the main body of his party on the 24th, "encamped on the river's bottom". Some of these men had had good luck in hunting, having killed eight buffaloes within the last twenty-four hours. "Thus", as the leader records, "from being in a starving condition, we had at once eight beeves in our camp. We now again found ourselves all assembled together on Christmas eve, and appeared generally to be content, although all the refreshment we had to celebrate the day was with buffalo flesh, without salt or any other thing whatever".

Christmas was spent in that camp, the location of which probably was near Brown's Cañon Station, on the Denver & Rio Grande Railway, seven miles above the city of Salida. In his *Journal*, under date of December 25th, Pike says:

"The weather being stormy, and having some meat to dry, I concluded to lie by this day. Here I must take the liberty of observing that in this situation the hardships and privations we underwent, were on this day brought more fully to our minds than at any time previously. We had before been occasionally accustomed to some degree of relaxation, and extra enjoyments; but the case was now far different: eight hundred miles from the frontiers of our country, in the most inclement season of the year; not one person properly clothed for the winter, many without blankets, having been obliged to cut them up for socks and other articles; lying down, too, at night on the snow or wet ground, one side burning whilst the other was pierced with the cold wind; this was briefly the situation of the party: whilst some were endeavouring to make a miserable substitute of raw buffalo hide for shoes, and other covering. I will not speak of diet, as I conceive that to be beneath the serious consideration of a man on a journey of such a nature. We spent this day as agreeably as could be expected from men in our circumstances."

On the next day, the party continued the march down the Arkansas,

but did not cover the distance to the Royal Gorge, some forty-five miles by the river's course—Pike makes it one-half greater—until January 4th. It was a hard journey. The horses floundered, stumbled, and fell, one being hurt so badly by falling from a precipice that he had to be shot. The animals were relieved of their packs, some of which were carried by the weary and footsore men and others drawn by them upon makeshift sleds, and the party became scattered into several small groups.

It would seem from Pike's chart that the expedition went through the Royal Gorge, but the narrative shows that this was not the case. Each of the detachments, that of Interpreter Vasquez having the horses, detoured and straggled over the mountains in which the chasm lies, some going on the north side and others on the south. Pike alone attempted to make the passage of the gorge, but when nearly half-way through gave up the task and took the small side-cañon that opens from the cañon, on the north side, and by which he clambered out to the summit of the ridge, where he fell in with two of the others and made camp. In the forenoon of the next day, he obtained a wide view eastward, and then "immediately recognized" that the river flowing through the gorge was the Arkansas, and realized that for nearly a month he had been traveling in a circle. Descending the mountain, he and his companions "proceeded to our old camp [on the site of Cañon City], which we had left on the 10th of December, and reoccupied it". But it was not until January 9th that the last of the stragglers came in. "The whole party", says Pike, "was once more joined together, when we felt comparatively happy, notwithstanding the great mortification I had experienced at being so egregiously deceived as to the Red river".

But the disappointed and still bewildered leader was not disposed to tarry here any longer than necessity required. I quote again from his *Journal*:

"I now felt at considerable loss how to proceed, as any idea of service at that time from my horses was entirely preposterous. Thus, after various plans formed and rejected, and the most mature deliberation, I determined to build a small place for defence and deposit, and leave part of the baggage, horses, my interpreter, and one man; and with the remainder, with our packs of Indian presents, ammunition, tools, &c., on our backs, to cross the mountains on foot, find the Red river, and then send back a detachment to conduct the horses and baggage after us, by the most eligible route we could discover; by which time we calculated our horses would be so far recovered as to be able to endure the fatigue of the march. In consequence of this determination, some were put to constructing the block house, some to hunting, some to take care of horses, &c., &c. I myself made preparations to pursue a course of observations, that would enable me to ascertain the latitude and longitude of the situation, which I conceived to be an important one."

All traces of Pike's "place of defense and deposit", which is designated upon his map as "Blockhouse", have vanished; and it is not unlikely that they had disappeared long before the permanent settlement of Colorado. The blockhouse was built upon the northward bank of the river, upon a site that most probably is within the corporate limits of Cañon City.

Pike set out upon his terrible and foolhardy journey "to find the Red river" on January 14, 1807. His *Journal* says his party "consisted of 18 soldiers, the Doctor, and myself"; but "18" probably is a typographical error, as there were but twelve soldiers in the devoted band—Sergeant Meek, Corporal Jackson, and Privates Brown, Carter, Dougherty, Gordon, Menaugh, Miller, Mountjoy, Roy, Sparks, and Stoute. Interpreter Vasquez

and Private Patrick Smith were left in charge of the blockhouse and the horses. Pike says "each of us carried forty-five pounds, and as much provision as he thought proper; which, with arms, &c., made on an average seventy pounds".

They took the course of Grape Creek (which unites with the Arkansas a mile or so above Cañon City, and which appears upon some early maps of the West as "Pike's Fork",) into the Wet Mountain Valley; and, considering the depth of the snow, made good progress in the first four days. Pike says they covered seventy-eight miles, but probably, with all the windings, the distance was within sixty. In the evening of the fourth day, they encamped at the base of the Sangré de Cristo Range, at a point nearly due west of the present town of Rositi. Here their troubles began in earnest. Pike tells that "when we halted at the woods at eight o'clock for encampment, we discovered that the feet of nine of our men were frozen, and to add to the misfortune, of both of those whom we called hunters among the number. This night we had no provision. . . . Reaumer's thermometer stood at $18\frac{1}{2}$ below 0". Pike and Dr. Robinson put forth in the next morning in search of game, but had a day of failure. Rather than go back to the others empty-handed, they "went among some rocks, where we encamped and sat up all night, as from the intense cold it was impossible to sleep; also, hungry and without cover". Late in the afternoon of the following day, they killed a buffalo—a stroke of good fortune that saved the life of every man who had come with the leader into this death-trap. "By this time", says Pike, "I was becoming extremely weak and faint, it being the fourth day since we had received sustenance. We were . . . determined to remain absent and die by ourselves rather than return to our camp and behold the misery of our poor companions". Cutting as much of the buffalo meat as they could carry in their weakened condition, the two set out in the dusk of the evening for the camp. "We arrived there about twelve o'clock [midnight], and when I threw my load down, it was with difficulty I prevented myself from falling: I was attacked with a giddiness which lasted for some minutes. On the countenances of the men was not a frown, nor was there a desponding eye; all seemed happy to hail their officer and companions, yet not a mouthful had they eaten for four days". The remainder of the buffalo's carcass was brought to the camp the next morning.

Undismayed, Pike resolved to push on. As the feet of two of the men now were found to be so badly frozen that it was "impossible for them to proceed"—those of one "presenting every probability of his losing them"—"and two others only without loads with the help of a stick", the leader decided to leave the totally disabled pair (Dougherty and Sparks) where they were, and later to send some of his men back for them. The onward march was resumed on January 22d. Pike says he "furnished the two poor fellows who were to remain with ammunition, and made use of every argument in my power to encourage them to have fortitude to resist their fate, and gave them assurances of my sending relief as soon as possible. We parted, but not without tears". Why at least one able man—why the Doctor, who, as Wilkinson had said, was "bound to attend to your sick"—was not left with them is hard to understand. "Taking merely sufficient provision for one meal, in order to leave as much as possible for the two poor fellows who remained", the overburdened, more than half-

starved and less than half-clad men staggered their way on up the valley, along the base of the Sangré de Cristo Mountains. The hunger and other hardships of the preceding days again were endured, and on the 23d a furious snow-storm beset the party, continuing to rage until the next morning. Pike, "for the first time in the voyage", found himself "discouraged". Before noon of the 24th, exhaustion compelled the wanderers, now upon the eastward side of the narrowed valley, to halt and go into camp. No game had been seen since they left the disabled men, but in the afternoon of this day Pike and Robinson killed a buffalo, and on the next three more were slain. This camp, which was near the southern border of Custer County, was occupied until the morning of January 27th.

Pike had "determined to attempt the traverse of the mountains" (the Sangré de Cristo), and also "never again to march with so little provision in hand: for had the storm continued one day longer, the animals [the buffalos] would have continued in the mountains, and we should have become so weak as not to be able to hunt, and of course have perished". So he "got in all the meat and dried it on a scaffold; intending to take as much as possible along and leave one of my frozen lads with the remainder, as a deposit for the parties who might return for them with the baggage, &c., on their way to Baroney's camp". Setting out in the morning of the 27th, leaving the solitary and frozen lad, Menough, "encamped with our deposit", the party, "determining to cross the mountains", floundered through the deep snow, passed the summit of the Sangré de Cristo Range, and before nightfall "struck on" two small creeks running westward. These were "hailed with fervency, as the waters of the Red River". On the next day, as the encouraged toilers marched down the western slope, they "discovered after some time that there had been a road cut out, and on many trees were various hieroglyphics [Indian picture-writing] painted". Camp was made that evening among the sand dunes at the western base of the range. "When we encamped", says Pike, "I ascended one of the largest hills of sand, and with my glass could discover a large river, flowing nearly north by west and south by east through the plain". He was within sight of the Rio Grande, flowing through the San Luis Park.

There is, and perhaps always will be, some uncertainty as to Pike's route across the Sangré de Cristo Range, as there are three passes in the vicinity of the course laid down upon his chart. All that Pike says in his *Journal* about his crossing of the divide is that "after a bad day's march", on January 27th, "we struck on a brook which led west". It is supposed that the party had wandered into the upper border of our Huérfino County; and from the most thorough examination that has been made of the matter, it appears highly probable that the heroic little band went through the Medaño or Sandhill Pass, which opens from near the northwestern corner of that county into the southeastern corner of Saguache County, at an elevation of about 9,800 feet.

Instead of going directly to the Rio Grande from his camp among the sand-dunes, Pike took a course south by west, and in the evening of the 30th reached the river, at a point probably that of the site of our town of Alamosa. "As there was no timber here, we determined", says he, "on descending until we found some, in order to make transports to descend the river with; where we might establish a position that four or five might

defend against the insolence, cupidity or barbarity of the savages; whilst the others returned to assist on the poor fellows who were left behind at different points. We descended eighteen miles, when we met a large west branch, emptying into the main stream; up which, about five miles, we took our station". That this "large west branch" was the Rio Conéjos is beyond doubt, though Pike's "distance advanced" during these three days would have put him some miles farther south. But here, as usual, he had overestimated the length of his marches.

The next two weeks mainly were occupied by Pike in hunting—deer being plentiful and luck rather good—and by most of the men in building the fortified station, which was erected at this camping-place, "about five miles" up the Conéjos, upon its northward bank, opposite the warm springs that flow out of a hill upon the southward side of the stream. Recent investigators believed that they had identified the spot by their discovery of traces of the moat or ditch that surrounded the structure, and which, as expressed by them in terms used by the land surveyor, "is on the middle of the W. line of the N. W. $\frac{1}{4}$ of the N. E. $\frac{1}{4}$ of Sect. 7, T. 35, R. 11". Of the location and character of his fort, Pike says:

"The stockade was situated on the north bank of the western branch, the west fork of the Rio del Norte, about five miles from its junction with the main river, in a small prairie. The south flank joining the edge of the river (which at that place was not fordable), the east and west curtains were flanked by bastions in the N. E. and N. W. angles, which likewise flanked the curtain on the north side of the work. The stockade from the center of the angles of the bastions was thirty-six feet square. There were heavy cottonwood logs about two feet diameter, laid up all around about six feet, after which lighter ones until we made it twelve feet in height; these logs were joined together by a lap of about two feet at each end. We then dug a small ditch on the inside all round, making it perpendicular on the internal side, and sloping next the work: in this ditch we planted small stakes of about six inches diameter, sharpened at the upper end to a nice point, slanting them over the top of the work, giving them about two and a half feet projection. We then secured them below and above in that position, which formed a small pointed frieze, which must have been removed before the works could have been sealed. Lastly, we dug a ditch round the whole, four feet wide, and let the water into it; the earth taken out being thrown against the work, forming an excellent rampart against small arms, three or four feet high. Our mode of getting in was to crawl over the ditch on a plank, and into a small hole sunk below the level of the work near the river for that purpose. Our port-holes we pierced about eight feet from the ground, and a platform prepared to shoot from.

"Thus fortified, I should not have had the least hesitation in putting the hundred Spanish horse at defiance until the first or second night, and then to have made our escape under cover of the darkness; or made a sally and dispersed them, when resting under a full confidence of our being panic struck by their numbers and force."

Pike ran up the American flag over his fort—the first known appearance of the stars and stripes in what is now the State of Colorado.

Under date of February 6th, Pike notes that "the Doctor having some pecuniary demands on the Province of New Mexico, conceived this to be the most eligible point for him to set out from, in order to return previously to all my party having joined me from the Arkansaw, and before I could be prepared to descend to Natchitoches". Of the origin and nature of these "demands" the leader tells:

"The demands which Dr. Robinson had on persons in New Mexico, although originally legitimate, were in some degree spurious in his hands: the circumstances



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were as follows: In the year 1804, William Morrison, Esq., an enterprising merchant of Kaskaskias [Kaskaskia, Illinois], sent a man by the name of Babbiste Lalonde, a Creole of the country of Missouri and of La Platte, directing him if possible to push into Santa Fé. He sent in Indians, and the Spaniards came out with horses and carried him and his goods into the province. Finding that he sold the goods high, had land offered him, and that the women were kind, he concluded to expatriate himself, and convert the property of Morrison to his own benefit. When I was about to sail, Morrison conceiving that it was possible I might meet some Spanish factors on the Red river, intrusted me with the claim, in order if they were acquainted with Lalonde, I might negotiate the affair with some of them. When on the frontiers, the idea suggested itself to us of making this claim a pretext for Robinson to visit Santa Fé. We therefore gave it the proper appearance, and he marched for that place. Our views were to gain a knowledge of the country, the prospect of trade, force, &c., whilst at the same time our treaties with Spain guaranteed to him, as a citizen of the United States, the right of seeking the recovery of all just debts, dues, or demands, before the legal and authorized tribunals of the country, as a franchised inhabitant of the same, as specified in the 22d article of the treaty."

In the morning of February 7th, "the Doctor marched alone for Santa Fé, and in the evening Pike despatched Corporal Jackson with four men to recross the mountains, in order to bring in the baggage left with the frozen men, and to see if they were yet able to proceed." The Corporal and three of the men returned on the 17th, and reported that "two more would arrive the next day, one of whom was Menaugh, who had been left alone on the 27th of January; but the other two, Dougherty and Sparks, were unable to come." Pike then continues:

"They [the Corporal and his men] said that they had bailed them with tears of joy, and were in despair when they again left them with the chance of never seeing them more. They sent on to me some of the bones taken out of their feet, and conjured me by all that was sacred not to leave them to perish far from the civilized world. Oh! little did they know my heart, if they could suspect me of conduct so ungenerous! No, before they should be left, I would for months have carried the end of a litter, in order to secure them the happiness of once more seeing their native homes, and being received in the bosom of a grateful country. Thus, these poor fellows are to be invalids for life, made infirm at the commencement of manhood, and in the prime of their course; doomed to pass the remainder of their days in misery and want. For what is the pension? What man would even lose the smallest of his joints for such a pittance!"

However, this grandiose declamation is far from comporting with the circumstances. Although Pike and his men had been well supplied with venison from the day they halted on the Conéjos, a full week had elapsed before any movement was made to rescue the disabled men, the more remote and more helpless of whom were distant five days' journey. Heartlessness seems to have had the advantage of sympathy in this matter.

On the 18th, Sergeant Meek and Private Miller started "for the Arkansas, where we had left our interpreter, horses, &c., to conduct them to us, and on his return to bring the two invalids, who were still on the mountains". As to the courage of his soldiers and their devotion to duty, Pike interjects the following:

"I must here remark the effect of habit, discipline, and example, in two soldiers soliciting a command of more than one hundred and eighty miles, over two great ridges of mountains covered with snow, inhabited by bands of unknown savages in the interest of a nation with whom we are not on the best understanding: and to perform this journey each had about ten pounds of venison! Only let me ask, what would our soldiers generally think of being ordered on such a tour, thus

equipped? Yet those men volunteered with others, and were chosen, for which they thought themselves highly honored."

Sergeant Meek returned to the post on the Conéjos in due course of time, with Interpreter Vasquez, Private Patrick Smith, the two "frozen lads", and the horses and baggage. But he found the fort in the possession of a squadron of Spanish cavalry, and learned that his commander was in Spanish custody at Santa Fé.

Something had happened in the meantime, and which had been foreshadowed before the Sergeant set out upon his relief expedition. On the 16th of February, Pike and one of the soldiers had gone out to hunt, and at a place about six miles from the fort wounded a deer. Of what next occurred I quote the leader's account:

"Immediately afterwards I discovered two horsemen rising the summit of a hill, about half a mile to our right. As my orders were to avoid giving alarm or offence to the Spanish government of New Mexico, I endeavored to shun them at first, but when we attempted to retreat, they pursued us at full charge, flourishing their lances, and when we advanced they would retire as fast as their horses could carry them. Seeing this, we got into a small ravine, in hopes to decoy them near enough to oblige them to come to a parley, which happened agreeably to our desires. As they came on, hunting us with great caution, we suffered them to get within forty yards, where we had allured them, but were about running off again, when I ordered the soldier to lay down his arms and walk towards them, at the same time standing ready with my rifle to kill either who should lift an arm in a hostile manner. I then hallooed to them, that we were Americans and friends, which were almost the only two words I knew in the Spanish language: after which, with great signs of fear, they came up, and proved to be a Spanish dragoon and a civilized Indian; armed after their manner. . . . We were jealous of our arms on both sides, and acted with great precaution. They informed me that that was the fourth day since they had left Santa Fé; that Robinson had arrived there, and had been received with great kindness by the Governor. As I knew them to be spies, I thought it proper merely to inform them that I was about to descend the river to Natchitoches. We sat here on the ground a long time, and finding they were determined not to leave me, we arose and bade them adieu; but they demanded where our camp was, and finding that they were not about to depart, I thought it most proper to take them with me, thinking we were on Red river, and of course in the territory claimed by the United States.

"We took the road to my fort, and as they were on horseback, they travelled rather faster than myself. They were halted by the sentinel, and immediately retreated much surprised. When I came up I took them in and then explained to them as well as I was able, my intentions of descending the river to Natchitoches; but at the same time told them that if Governor Allencaster would send out an officer with an interpreter, who spoke French or English, I would do myself the pleasure to give his Excellency every reasonable satisfaction as to my intentions in coming on his frontiers. They informed me that on the second day they would be in Santa Fé, but were careful never to suggest an idea of my being on the Rio del Norte. As they concluded I did not think as I spoke, they were very anxious to ascertain our number, &c. Seeing only five men here, they could not believe we came without horses; to this I did not think proper to afford them any satisfaction, giving them to understand we were in many parties.

"In the morning [of February 17th] our two Spanish visitors departed, after I had made them some trifling presents, with which they seemed highly delighted."

Aside from Sergeant Meek's departure, nothing of importance came to pass at the fort until the tenth day thereafter. Twice, while out hunting, Pike had seen "the sign of horses and men". Therefore he gave "particular orders" to the members of his garrison that if they "discovered any people, to endeavour to retreat unobserved; but if not, never to run, and not to suffer themselves to be disarmed or taken prisoners, but conduct whatever

party discovered them, if they could not escape, to the fort". That Pike, since the visit of the Spanish dragoon and the Mexican Indian, had been expecting a larger Spanish force to appear at his fort, is shown by his journal-entry on the 22d, and which reads:

"As I began to think it was time we received a visit from the Spaniards, or their emissaries, I established a look-out guard on the top of a hill all day, and at night a sentinel in a bastion on the land side. Studying, reading, &c. Working at our ditch to bring the river round the work".

The anticipated visit was made by the Spaniards, on the 26th, and of its particulars and consequences Pike relates the following:

"In the morning I was apprised by the report of a gun from my look-out guard, of the approach of strangers; immediately after, two Frenchmen arrived. My sentinel halted them, and I ordered them to be admitted after some questions. They informed me that his Excellency, Governor Allencaster, hearing it was the intention of the Utah Indians to attack me, had detached an officer with fifty dragoons to come out and protect me, and that they would be with me in two days. To this I made no reply, but shortly after, the party hove in sight, as I afterwards learned; fifty dragoons, and fifty mounted militia of the Province armed in the same manner, with lances, escopates [Spanish carbines], and pistols. My sentinels halted them at the distance of about fifty yards. I had the works manned: I thought it most proper to send out the two Frenchmen to inform the commanding officer that it was my request he should leave his party in a small copse of wood where he halted, and that I would meet him myself in the prairie, in which our work was situated; this I did, with my sword on me only. I was thus introduced to Don Ignacio Salteño and Don Bartholomew Fernandez, two lieutenants; the former the commander of the party: I gave them an invitation to enter the works, but requested the troops might remain where they were. This was complied with: but when they came round and discovered that to enter they were obliged to crawl on their bellies over a small drawbridge, they appeared astonished; they, however, entered without further hesitation.

"We first breakfasted, on some deer, meal, goose, and some biscuit, which the civilized Indian who came out as a spy had brought me. After breakfast the commanding officer addressed me as follows:

"'Sir, the Governor of New Mexico, being informed that you had missed your route, ordered me to offer you in his name mules, horses, money, or whatever you may stand in need of, to conduct you to the head of Red river; as from Santa Fé, to where it is sometimes navigable, is eight days' journey, and we have guides and the routes of the traders to conduct us.'

"'What', interrupted I, 'is not this the Red River?' 'No, sir, it is the Rio del Norte'. I immediately ordered my flag to be taken down and rolled up, feeling how sensibly I had committed myself in entering their territory, and was conscious that they must have positive orders to take me in. He now added, that he had provided one hundred mules and horses to take in my party and baggage, and stated how anxious his Excellency was to see me at Santa Fé. I stated to him the absence of my Sergeant, the situation of the rest of the party, and that my orders would not justify my entering into the Spanish territories. He urged still further, until I began to feel myself a little heated in the argument, and told him in a peremptory style that I would not go until the arrival of my Sergeant, with the remainder of my party. He replied that there was not the least restraint to be used, only that it was necessary his Excellency should receive an explanation of my business on his frontiers; that I might go now, or on the arrival of my party; but that if none went at present he should be obliged to send in for provisions. He added that if I would now march, he would leave an Indian interpreter and an escort of dragoons to conduct the Sergeant into Santa Fé. His mildness induced me to tell that I would march, but must leave two men in order to meet the Sergeant and party to instruct him as to coming in, as he would never do so without a fight, unless ordered.

"I was induced to consent to the measure by conviction that the officer had a positive command to convey me in; and as I had no orders to engage in hostilities, and indeed had committed myself, although innocently, by violating their territory,

I conceived it would be better to shew a will to come to an explanation, rather than be in any way constrained. Yet my situation was so eligible, and I could so easily have put them to defiance, that it was with great reluctance I suffered all our labour to be lost, without once trying the efficacy of it.

"My compliance seemed to spread general joy through the Spanish party as soon as it was communicated. But it appeared to be different with my men, who wished to have had a little *dust*, (as they expressed it), and were likewise fearful of Spanish treachery.

"My determination being once taken, I gave permission for the lieutenant's men to come to the outside of the works and some of mine to go out and see them. Immediately the hospitality and goodness of the Creoles and Mestis began to be manifested by their producing their provision and giving it to my men; at the same time covering them with their blankets.

"After writing orders to my Sergeant, and leaving them with my Corporal and one private who were to remain, we sallied forth, mounted our horses, and went up the river about twelve miles to a place where the Spanish officers had made a camp deposit, from whence we sent down mules for our baggage."

So ended the troubled expedition of Zebulon M. Pike into the Rocky Mountain country. Its leader felt, in spite of the polite pretensions of his captors that they had been sent to rescue him from danger and conduct him to the capital of the Province to visit the Governor, that he was a prisoner. He and his escort arrived at Santa Fé on March 3d, and with him were six of his soldiers, Privates Carter, Gorden, Menaugh, Mountjoy, Roy and Stoute. Corporal Jackson and Private Brown had been left at the fort to await the return of Sergeant Meek and Private Miller, who had gone to bring over Interpreter Vasquez, Private Smith, and the two disabled soldiers, Sparks and Dougherty.

The little group of Americans presented rather a sorry appearance when they entered Santa Fé; and of this Pike says:

"... After we left our interpreter and one man on the Arkansas, we were obliged to carry all our baggage on our backs; consequently, that which was the most useful was preferred to the few ornamental articles of dress we possessed. The ammunition claimed our first care; tools were secondary; leather leggins, boots and mockinsons were the next in consideration: consequently, I left behind all my uniform clothing, trunks, &c., and the men also did the same, except what they had on, conceiving that which would secure the feet and legs from the cold to be preferable to any other. Thus, when we presented ourselves at Santa Fé, I was dressed in a pair of blue trowsers, mockinsons, blanket coat, and a red cap made of scarlet cloth, lined with fox skin; and my poor fellows in leggins, breech cloths and leather coats; and not a hat in the whole party. This appearance was extremely mortifying to us all, especially as soldiers; and although some of the officers used frequently to observe to me, that 'worth made the man', with a variety of adages to the same amount, yet the first impression made on the ignorant is hard to eradicate; and a greater proof cannot be given of the ignorance of the common people than their asking if we lived in houses, or in camps like the Indians, or if we wore hats in our country. These observations are sufficient to shew the impression our savage appearance made among them."

At first, the Governor, Don Joachim Real Allencaster, was inclined to be austere, but presently relaxed and became cordial and hospitable. After looking over Pike's papers, which were contained in a small trunk, the Governor told him that he and his soldiers who were now with him would be taken to Chihuahua, where he should be presented to the Commandant-General, who would question him further and more carefully examine the papers. The Americans were started on the 5th, under a military escort, for that capital. Two days later they were rejoined by Dr. Robinson, at a

village below Albuquerque, to which the Doctor had been sent shortly after his advent at Santa Fé.

Arriving at Chihuahua on April 2d, the Americans were taken directly to the quarters of General Nimesio Salcedo, "Commandant-General of the Interior Provinces of New Spain", who received Pike graciously and with the remark, "you have given us and yourself a great deal of trouble". Salcedo already had received from Santa Fé a report of Robinson's appearance there and of the arrest of Pike and his men. The trunk was brought in, and from it all the papers relating to the expedition were taken and passed over to the General. Three weeks later, Pike was notified by Salcedo that he and his men who were with him would be escorted to the American post at Natchitoches (April 28th being designated as the date of their departure), but that his papers would be retained; and that those of his men who were still behind would follow him homeward. In the meantime, Salcedo had granted Pike's request for an advance of \$1,000, on the credit of the United States, for the expenses of the party until it arrived upon American soil. He had received previously, from Governor Allencaster, sums amounting to about \$200. While in Chihuahua, Pike and the Doctor were the recipients of many social attentions, and appear to have had a pretty good time.

Leaving Chihuahua on the appointed date, the Americans were conducted upon a 'round-about course through the northeasterly part of what is now Mexico, to the lower reaches of the Rio Grande, and thence, by way of San Antonio, across Texas to Natchitoches, where they were liberated on July 1, 1807. "Language cannot express the gaiety of my heart", says Pike, "when I once more beheld the standard of my country waved aloft. 'All hail!', cried I, 'the ever-sacred name of Country, in which is embraced that of kindred, friends, and every other tie which is dear to the soul of man!'."

There is no available record as to when and how those of Pike's men who had been left behind in New Spain were returned to the United States, nor of the condition of the frozen two when they were brought out of the mountains. Pike's last reference to them is in a brief report containing their names, which he filed in the War Department on May 3, 1808, and which is headed, "Return of a Detachment of Infantry of the Army of the U: States, detained at Chihuahua, the Seat of Government for the Internal Provinces of New Spain, by Order of the Commandant General of those Provinces, in the year 1807". His interpreter, Vasquez, is known to have been a Lieutenant in the American Army during the War of 1812, and a trader among the Indians on the upper Missouri in 1820.

During Pike's short detention at Santa Fé, he was visited by a Kentuckian, who had been, as it would seem, an unwilling dweller in the capital of New Mexico since the spring of 1805, and whose place in the history of the Colorado country is that of its first American pioneer. Pike remembered and recorded his name as "James Pursley", but it has been ascertained in recent times that his surname was "Purcell". Some further account of this intrepid wanderer and of his adventures appears in Chapters VII and VIII.

It has been said often that Captain Pike was the discoverer of the great eminence that bears his name. But he was not, nor did he assume to have been, nor was he the first American who beheld it. As he implies

in his narrative, and as we have seen upon preceding pages of this volume, it had for long been an object familiar to Spaniards of New Mexico. Beside these, French fur traders and trappers had been within full view of it many years before he saw the Rocky Mountains. The first American whose eyes surveyed the peak's lofty heights doubtless was James Purcell, who passed near it some eighteen months before Captain Pike entered the land of Colorado.

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CHAPTER IV.

CONCEALED PURPOSES OF PIKE'S EXPEDITION.—ITS EVIDENT IDENTIFICATION WITH BURR'S CONSPIRACY.—GENERAL WILKINSON'S IMPLICATION IN THE PLOT.—PIKE'S CORDIAL RELATIONS WITH THE TRAITOROUS GENERAL, AND OTHER SUGGESTIVE CIRCUMSTANCES.—FACTS OF THE EXPEDITION THAT ARE IRRECONCILABLE WITH ANY THEORY OF NON-COMPLICITY.—WHAT WAS PIKE'S PURPOSE IN BUILDING A FORT ON THE RIO CONÉJOS?—HIS PRETENDED SURPRISE WHEN TOLD HE WAS ON THE RED RIVER.—EVIDENCE THAT PIKE INTENDED AND EXPECTED A COLLISION WITH SPANISH TROOPS.—DR. ROBINSON A SPY.—THE MORRISON CLAIM PROBABLY OBTAINED FOR USE AS A PASSPORT BY A SPY.—ROBINSON'S STORY TO GOVERNOR ALLENCASTER.—PIKE'S DENIAL THAT ROBINSON WAS OF HIS PARTY.—HIS DUPLICITY AND FLAGRANT PREVARICATION WHILE IN SPANISH CUSTODY.—ACTING THE SPY AND INFORMER.—THE "SECRET" OF THE EXPEDITION.—THE NATCHITOCHES CORRESPONDENCE BETWEEN WILKINSON AND PIKE.—SALCEDO'S LETTER TO WILKINSON.—WILKINSON'S CAUTIONS TO PIKE.—PUBLIC OPINION AS TO PIKE'S CONNECTION WITH BURR'S PLOT.—PIKE AND THE SECRETARY OF WAR.—CONGRESS REFRAINS FROM GRANTING EXTRA COMPENSATION TO PIKE.—WILKINSON'S UNSAVORY RECORD.—SUBSEQUENT CAREER OF CAPTAIN PIKE.—HIS DEATH AND BURIAL.

The sinister shadows of the twin traitors and conspirators, Aaron Burr and General James Wilkinson, had kept company with Pike's expedition from the day it embarked at Belle Fontaine. That the undertaking was not for the ostensible purpose of exploring the central and southwestern parts of the Louisiana Purchase and for becoming acquainted and establishing friendly relations with the Indian tribes of the region, but a movement in the interest of Burr's ambitious scheme to seize a vast extent of the Mississippi Valley and the greater part of New Spain, and to organize in these domains a government of which he should be Dictator, there does not appear to be even standing-room for a doubt. The more closely Pike's narrative, other documents, and all the circumstances connected with the expedition, are studied from every point of view, the more imperiously do they require us to regard him as an emissary of the conspirators—the more evident it becomes that he and his western enterprise were of the plot, and that he knew it; although he may not otherwise have participated in it personally.

Upon the face of the case, Pike, a mere subaltern—a Lieutenant in the Regular Army when he started—received certain orders from the military Commander-in-Chief of the Army, and, as duty required, proceeded to obey them. These orders or instructions—at least those dated June 24th and July 12th (1806)—are without guile, their purport being peaceful and laudable. But it is well understood that the Lieutenant had secret instructions from the traitorous and grossly corrupt General, who also was Governor of the Territory of Louisiana; and, as we shall see, Pike himself reveals this fact indirectly. With the expedition stripped of its mask, we shall also see that its real purposes must have been to explore and locate a practicable military route across the plains to New Mexico; to spy out that land, and to ascertain by observation and inquiry the military and other

resources of the Spaniards in that Province. Should it precipitate a conflict with them, all the better. A clash of arms would bring to the conspirators the opportune moment for attempting their purpose to dismember the territory of the United States, to raise a new flag and proclaim a new government, a new nationality, in the Great West: and then appeal to England, which at that time claimed and held the "Oregon Country", for intervention and support in its behalf, or to France, should England be indifferent.

That General Wilkinson was deep in this plot is an established fact of our Nation's history. Letters which he wrote, letters which he received, including some from Burr in cipher, and to which, as their writer testified under solemn circumstances, Wilkinson replied, unmistakably revealed his guilt. Indeed, his whole conduct made his complicity apparent beyond question. Before Pike left St. Louis, the General had begun to sound his younger officers as to their probable attitude in the event of open action by the conspirators. While it does not necessarily follow that Pike's personal relations with Wilkinson—"my General", as he fondly and repeatedly calls him—imply that he was deeply involved in the treasonable scheme, they were, as shown by his letters, of an unusually close and cordial nature. Pike addressed him in terms of endearment uncommon in communications between military officers, and with obvious pride spoke of himself as the General's "military protégé", and of the General as his "paternal friend".

Wilkinson already had trumped up a pretext upon which he might gain control of additional Federal soldiers and possession of Federal military equipment. Affecting to believe that war with Spain over the disputed boundary in the Southwest was imminent, he had written to the Secretary of War, from St. Louis, on November 26, 1805, as follows:

"... Our situation at New Orleans is a defenceless one, & Colonel Freeman's removal of two Companies from Fort Adams to that city leaves us without the means of offence above Baton Rouge, which I do [not] like, but Freeman felt himself too feeble to stand alone without those Companies—I most ardently implore that we may not be forced to War, because I seek repose & we are not indeed prepared for it; that is, against European troops—yet if we must draw the sword, the whole of the troops destined to operate West of the Mississippi should be mounted, whether Gun-men or sword-men, because every Man of the Enemy will be found on Horse Back, and the composition should be such as I have described in a former Letter—If anything should be done from this Quarter direct, and I might be indulged to recommend my officers, to plan & Lead the expedition, If I do not reduce New Mexico, at least, in one Campaign, I will forfeit my Head."

We should bear in mind that Pike's account of his expedition, in the form in which it was published, was made up (at Washington City) after his beloved General had become discredited, and after Burr's acquittal of the charge of treason; the arch-traitor having escaped conviction partly by virtue of having kept his mouth shut and partly by the inefficiency of the prosecution, but mainly upon the technicality that he had not yet actually borne arms against the United States. Pike injected into his narrative frequent assertions and celebrations of his intense patriotism, his lofty motives, and his exalted conceptions of personal honor. While it is apparent that these in some part probably were due to the rather broad streak of vainglory with which he was endowed, one can not easily avoid a strong suspicion that he protested them overmuch—that he was holding them up as virtues which had safeguarded him against such evil influences as those that had ema-

nated from Burr and Wilkinson. He had proved his personal courage and daring to be of a high order, but the other good personal qualities to which he urgently invited attention had not restrained him from keeping inviolate a certain "secret" of the expedition, nor from employing trickery, deceit, and downright lying after he had fallen into the hands of the Spanish authorities in New Mexico.

When the French province of Louisiane became United States territory, very little was authentically known of it by the great body of the American people, who were also much in the dark as to Spanish possessions that bordered it in the West-Southwest. To the large majority the latter constituted a land of mystery and romance. Vague rumors that the northern parts of New Spain abounded with gold and silver were afloat, and it was rather generally believed that these metals were filling both public and private coffers to repletion. It has since been supposed that this reputed opulence of precious metals figured largely in Burr's plans, but neither he nor any other American had any more knowledge of it than could be derived from the drifting reports. It was the policy of Spain jealously to guard her American possessions against foreign observation and to veil their resources to foreign eyes. The doors of these were opened cautiously to foreign visitors, who were surrounded by restraints while they remained. As the transfer of Louisiane to the United States was not agreeable to Spain, she had, before Pike started upon his march toward the Rocky Mountains, begun maneuvering to secure for New Spain the farthest possible frontier in the North and the Northeast. That Spanish officers regarded his movement with grave suspicion was shown by the surveillance of the preparations for it at St. Louis by their secret agents; and that it was intended to be inimical to Spanish interests was demonstrated by later events.

It is impossible to reconcile the facts of Pike's expedition with any theory that attributes to it merely the character of an exploration for scientific, geographic and economic purposes, with incidental proffers of friendship and good understanding to the Indians of the country he was to traverse: or, as he states it, to gather "such geographical knowledge of the southwestern boundary of Louisiana as to enable the government to enter into a definite arrangement for a line of demarkation between that Territory and New Mexico", and also "to obtain information founded on scientific pursuits, and with a view of entering into a chain of philanthropic arrangements for ameliorating the condition of the Indians who inhabit those vast plains and deserts". It was not undertaken by order or with previous knowledge and approval of either the President or the Secretary of War, but solely by direction of General Wilkinson, who had not, so far as records go, been authorized from Washington to procure data bearing upon the boundary question or to begin preparations for the amelioration of the hard conditions of life among the Indians of the plains.

In his additional instructions, of August 6th, Wilkinson makes a great ado over the alleged purpose of a St. Louis trader to engage in "some commercial intercourse with Santa Fé", and orders Pike to utilize this as a pretext for using violence. Now, when the latter is beyond recall—communications were slow in those days—he may open correspondence with the Secretary of War. But Pike sought no opportunity to "blow up" De Lisa's

plan, and the first and only report that he sent to the Secretary of War while he was in the West was written in the Pawnee Republic on October 1st.

After Lieutenant Wilkinson's departure down the Arkansas River, Pike's movements were controlled by a single purpose—that of pressing forward to and into the mountains, though he must have known that he would reach them in the most inauspicious season for exploration. Why did he ignore his open instructions to visit the Comanches, a duty which General Wilkinson had made nominally "the third object of considerable magnitude"? Why, if this expedition were what it purported to be, did he plunge into the defiles and recesses of the great snow-clad ranges, without chart or guide, in frantic search for a stream by the course of which he might reach the Spanish frontier? What imperious demand impelled him to this reckless effort to make progress, at a time when the rigors of a hard winter were in supreme control, and at the gravest peril to himself and to those who must obey his commands? His undertaking now had lost all semblance to one for exploration, and bore the aspect of a struggle to attain a single predetermined objective.

If it had been the design that Pike, with friendly consideration for Spanish opinion and sentiment, should quietly explore the new American possessions to the head of the Red River, and then descend that stream upon his homeward way, why had he come without map or pilot to show him the route thither? Even in his time the plains were not an "unknown country" to all men excepting Indians. Maps of the West, not seriously inaccurate, were available at St. Louis, where, also, there were Frenchmen who were familiar with courses leading from the Missouri River to the upper reaches of the Red; and he had met Indians, within the bounds of Colorado, who could have served him as well. Why did he not turn to his interpreter, who was expected to serve in the pretendedly projected visit to the Comanches? As Vasquez could not have learned their speech without having been in their country, therefore he would have known the whereabouts of the Red's headwaters, and also had some knowledge of the Spanish frontier and of the direction of Santa Fé. If the expedition were not disguised, if there were no concealed urgent factor, why the desperate march from the Arkansas to the Rio Grande, in the depth of a cruel winter? What demand of duty and of disciplined sense of obedience to orders constrained Pike to abandon upon that march three of his heroic soldiers, leaving them helpless and at the mercy of fanged wild beasts and savage men, while he pushed forward feverishly?

What was it that stood upon the southwestern horizon, beckoning him onward to the accomplishment of a purpose which can not, in the least degree, be reasonably identified with the nominal objects of his expedition? Was it not the mirage of the empire expected to be born of Burr's plot?

It is equally, if not more, difficult to reconcile Pike's acts after he had entered the Rio Grande Valley with his putative character as the leader of an exploration for exploration's sake, and also to believe that he thought he was then on the headwaters of the Red River. Indeed, the whole body of his references to that river is extremely attenuated. As there was no timber at Alamosa, he determined to go on until he found some, "in order", he says, "to make transports to descend the [Red] river with". His far southing must have told him that he was now in a part of the country in which spring opened early and that he might expect the frozen streams to be

freed and at good tide within four or five weeks. But instead of sending some of his men back at once to bring over those who had been left behind, and putting the others to constructing boats for a voyage down the Red, he set all hands at work, not upon a temporary small structure for defence and deposit, but upon a strong military fortification, and left those who were lying helpless in the mountains and the two who were in suspense on the Arkansas longer to await relief. In his statement that this fortified post—he called it a “Fort”—was intended to be a defence against the “insolence, cupidity or barbarity of the savages”, he trifles with the intelligence of his readers. His men at the “Blockhouse” on the Arkansas, and the “frozen lads” in the mountains, were in far greater danger from Indians than were he and his companions on the Conéjos; but he was in no hurry to send for them. There was obvious need for a sheltering and defensive building of some sort on the Arkansas, but the “Blockhouse” was no such establishment as that erected on the Conéjos, having been thrown together by some members of the party in three or four days. Pike did not consider it of importance sufficient to entitle it to a description, but he entered into minute details of the various means adopted to give great strength to the fort he had built upon Spanish territory. Yet he must have known of the understanding between the two governments that neither should encroach upon the disputed border while the boundary-question was pending.

It has been said that “the direction pursued by Dr. Robinson in going west from the fort, on his journey to Santa Fé, indicates ignorance of the country”. But the circumstances of Pike’s capture indicate the contrary—that there was a Spanish trail from the vicinity of the fort, in that direction, to the towns below. The Doctor’s course was the same as that by which Lieutenant Saltelo’s command had come, and the same by which he returned with his prisoners, as evidenced by Pike’s statement and indicated by his chart that his captors, after leaving the fort, “went up the river [the Conéjos] about twelve miles, to a place where the Spanish officers had made a camp deposit”. It is true that under a later date he mentions the river as the “Rio del Norte” [Rio Grande], but this obviously is one of the slips of his pen such as appear occasionally elsewhere in his narrative; as, for example, a reference to the Missouri, in which he calls that river “the Mississippi”. His chart shows no detour up the Rio Grande, but has the route extending up the Conéjos from the fort. From an early period, doubtless from before Pike’s time, there was a trail leading from the Spanish towns to the head of the San Luis Valley, passing near the site of the present town of Conéjos, with branches from its northerly stretches to passes in the mountains on both sides. The Ute Indians usually took this path down and back when on trading errands to Santa Fé. When Pike and his companions were descending the west side of the Sangré de Cristo Range they discovered “that there had been a road cut out” upon the slope. It is quite probable that had they followed that “road” they would have struck the north-and-south main trail, upon which they were afterward taken down the Rio Grande Valley by the Spaniards.

Pike’s pretended surprise when Lieutenant Saltelo told him that he was on the Rio del Norte, and not on the Red River, should deceive no one. The Spanish authorities of New Mexico were not misled by it. The Spanish dragoon and his civilized Indian associate, whom Pike encountered and conducted to his fort on February 16th, had gained nothing by their

carefulness "never to suggest an idea of my being on the Rio del Norte". If the American leader had not already known that he was on that river, the presence of these scouts and their remark that they could be in Santa Fé on the second day after leaving the fort, gave full notice to him that he was upon the northern edge of the settled parts of New Mexico: and it is not to be supposed that he could have been ignorant of the rather commonly-known fact that the Spanish towns and villages of the Province at that time practically were confined to the Rio Grande Valley, and that some of them were at a considerable distance north of Santa Fé. Nor did Pike gain anything by his yarn to the scouts, in which he said he "was about to descend the river to Natchitoches". If so, what was the purpose of this strong fort, and why was the Señor Americano still working upon it. The conclusions of the scouts were represented a few days later by Saltelo and his hundred horsemen.

That both Pike and Robinson knew where they were, we have additional evidence in the fact that the latter—with utter indifference to the condition of the frozen men back in the mountains—had set out alone and afoot to go to Santa Fé. Can it be reasonably supposed that he would attempt such a journey had he and Pike believed they were on the Red River—that they were in the Comanches' country? Even the most ardent of Pike's apologists (General Henry Whiting, in his *Life of Pike*.) admits that Robinson's venture was "in pursuance of a previous scheme". Robinson having gone, Pike continued at work upon his fortification. Two weeks later he "began to think that it was time we received a visit from the Spaniards or their emissaries", which shows that he was expecting to be struck. When the Spaniards came, it was seen that their course to the fort had been the same as that which the dragoon and his Indian comrade had followed, and by which, as the latter had told Pike, the capital of New Mexico could be reached on the second day.

A supposition that Pike really thought that he and his fort were on the Red River, as he asks us to believe, would place him in no better light. At that time, the United States openly conceded that the upper reaches of the Red should form part of the rightful boundary between the two countries; and Pike's narrative carries evidence that he knew this. His open-day instructions from Wilkinson—those which rated as "official"—had warned him to be very cautious should he find himself "approximated" to New Mexico. These injunctions were repeated in the General's supplementary instructions of August 6th. Pike's conduct now must be marked by "such circumspection as may prevent alarm or conflict". Yet, according to his own story, and evidently hunting for trouble, he had deliberately crossed the boundary-stream, marched with armed troops of the United States five miles into undisputed Spanish territory, and there erected a menacing military post, over which a flag of his Nation now was flying. This alone is sufficient wholly to discredit his pretensions that he believed the Rio Grande to be the Red River, and which he reiterates with an insistence that is offensive to the common sense of his readers.

Moreover, some statements made by Pike in a letter written to General Wilkinson, on July 22 (1806)—a week after his departure from Belle Fontaine—from the "Village de Charette", on the lower Missouri, make plain these several significant facts: that he had started with the expectation of invading Spanish territory: that he knew the headwaters of the Red

River were in the country of the Comanches; that his affectation of astonishment when Saltelo told him he was on the Rio Grande was a part of his prearranged plans; that he had anticipated that he and his party might be made prisoners of war by the Spaniards; that his plans provided for an attempt to deceive the Spanish authorities by cool falsifications, should he be taken before them; and that he also had anticipated having a conflict with Spanish troops. Bearing in mind that he had met, on November 22d, near the mouth of our Huerfano River, a war-party of Pawnees who had come directly from the Comanches' range, but did not ask them to point out to him the way thither, and that he had taken no step toward attaining the "third object of considerable magnitude" by visiting the Comanches, the following verbatim extract from his Charette letter is illuminating (the italicized passage being in Roman in the original):

"With respect to the Tetans [Ietans, or Comanches], the General may rest assured I shall use every precaution previous to trusting them, but as to the mode of conduct to be pursued towards the Spaniards, I feel more at a loss, as my instructions lead me into the country of the Tetans, part of which is no doubt claimed by Spain, although the boundaries between Louisiana and New Mexico have never yet been defined. [Wilkinson, in his open instructions had told Pike that "the affairs of Spain and the United States appear to be on the point of amicable adjustment".] In consequence of which, should I encounter a party from the villages near Santa Fé, *I have thought it would be good policy to give them to understand, that we were about to join our troops near Natchitoches, but had been uncertain about the head waters of the rivers over which we passed;* but, that now, if the commandant approved of it, we would pay him a visit of politeness, either by deputation, or the whole party, but if he refused, signify our intention of pursuing our direct route to the post below, but if not I flatter myself secure us an unmolested retreat to Natchitoches. But if the Spanish jealousy, and the instigation of domestic traitors should induce them to make us prisoners of war, (in time of peace) I trust to the magnanimity of our country for our liberation and a due reward to their opposers, for the insult and indignity offered their national honor. However, unless they give ample assurances of just and honorable treatment, according to the custom of nations in like cases, I would resist, even if the inequality was as great as at the affair of Bender [a town of Russia], or the streights of Thermopylae."

So the uncertainty about the headwaters of the rivers in the case, and a scheme for giving the Spaniards to understand something different from the truth, as well as a provocation and a plan for a fight, and all the rest, had been put into pickle down on the Missouri, before the expedition had gone far out of sight of St. Louis.

Pike added to his plan of campaign a request that his General would "pardon the foregoing as the enthusiasm of a youthful mind, yet not altogether unimpressed by the dictates of prudence". It is probable that Wilkinson granted the pardon instantly, and also that he smiled in satisfaction with the determination of his protégé to accomplish the real purposes of the expedition.

However, as the reader has seen in the preceding chapter, Pike, when confronted by Lieutenant Saltelo's cavalry, made no such resistance as that which had distinguished "the affair of Bender, or the streights of Thermopylae". In connection with his description of his fort, he says boastfully that he "should not have had the least hesitation in putting the hundred Spanish horse at defiance until the first or second night, and then to have made our escape under cover of the darkness; or made a sally and dispersed them, when resting under a full confidence of our being panic

struck by their numbers and force". But when the hundred Spanish horse appeared, he did nothing of the kind. After a little wordy blustering, he hauled down his flag, quietly took his place in the marching column of his captors and peaceably rode away with them to Santa Fé.

Had he not, since leaving the Arkansas, planned this method of gaining entrance into the settled parts of New Mexico for purposes concealed in his secret instructions? Had he not been courting capture?

It is as plain as daylight that Dr. Robinson had been sent ahead as a spy, and it is not improbable that he had been attached to Pike's company to serve in such a capacity. Had the two countries been at war at that time, the Spaniards would have been fully justified in shooting him. There are reasons for suspecting that Morrison's small claim—it could not have been large—on La Lande had been procured to serve as a passport for a spy. Under even commonplace circumstances it would have been an extraordinary thing for an officer of the United States Army, in command of a body of United States troops, to undertake to collect for a citizen a petty commercial debt while in the field—or anywhere else, for that matter. But here, we have an officer in charge of an expedition into a vast newly-acquired possession, and which, even upon the face of General Wilkinson's open instructions, was to be one of great importance, commissioned to hunt up and dun an obscure rascal who had taken refuge in a foreign country. Pike's explanation that it was thought he might meet some Spanish factors on the Red River", and that if any of them happened to be acquainted with La Lande he "might negotiate the affair with them", becomes faint in the washing. It would seem that he revealed its true purpose in his hands in his statement that "when on the frontiers the idea suggested itself to us of making this claim a pretext for Robinson to visit Santa Fé". So they put it into a form best calculated to deceive—"gave it the proper appearance"—and the nerry Doctor set out to pretend to be hunting for the French absconder, with a claim upon him which Pike confesses "was in some degree spurious" in the hands of the substitute collector.

When the two met again, on March 7th, the Doctor told Pike, as the latter records, that he tramped up the Conéjos from the fort, and upon the second day, while bearing more to the south, met two Ute Indians, who, after some parleying and delay, agreed to conduct him to the Spanish towns. Putting forth in the next morning, the three reached the village of Agua Caliente in the middle of the afternoon, when he was "immediately taken to the house of the commandant, and expresses were despatched to Santa Fé". The Doctor departed from Agua Caliente early in the following day, and upon his arrival at Santa Fé was taken before Governor Allencaster. Of his reception and treatment by the Governor, I quote from Pike's version of the Doctor's story:

" . . . The Governor received me with great austerity at first, entered into an examination of my business, and took possession of all my papers. After all this was explained, he ordered me to a room where the officers were confined when under arrest, and commanded a non-commissioned officer to attend me when I walked out into the city, which I had free permission to do. I was supplied with provision from the Governor's table, who had promised he would write to Baptiste Lalande to come down and answer to the claim I had against him; whose circumstances I had apprised myself of. The second day the Governor sent for me, and informed me that he had made enquiry as to the abilities of Lalande to discharge the debt, and found that he possessed no property; but that at some future period he would secure

the money for me. To this I made a spirited remonstrance, as an infringement of our treaties and a protection of a refugee citizen of the United States against his creditors; which had no other effect than to obtain me an invitation to dinner, and rather more respectful treatment than I had hitherto received from his Excellency.
 . . .

But Pike's version of the Doctor's tale does not tell the whole story. In a letter written to General Wilkinson (who was then at New Orleans) by General Salcedo, from Chihuahua, under date of April 8, 1807—Pike being in Chihuahua at that time—the Spanish commander gave the following further particulars of the account Robinson had given of himself to Governor Allencaster, at Santa Fé:

"On the 16th of February last, John Robinson appeared before the Governor of New Mexico, saying that he was a Frenchman, an inhabitant of St. Louis, which place he left on the 15th of June last year, with the view of going to the country of the Pananas [Pawnees], to make recoveries [collect debts]; that, having received information that his debtors had directed their steps to said Province [New Mexico], he had concluded to follow them, in company with 15 other persons, who went for the purpose of hunting on the rivers of Ares [Osages], Arkansaw, and Colorado, (Red River); that in the neighboring mountains of the two last [-named rivers] his company had left him, for which reason he saw himself under the necessity of proceeding to the Yntas Indians [the Utes], to whom he exposed his situation, and who accordingly agreed to conduct him" [to Santa Fé].

This collection of picturesque fabrications had been arranged at the fort on the Rio Conéjos, and when it came Pike's turn to appear before Governor Allencaster he played his part boldly and brazenly.

On the 18th of February, Robinson was sent down the Rio Grande to the "village of St. Fernandez", a place which can not now be identified by that name, but which evidently was a few miles below Albuquerque. Pike found him there on the 7th of March, and in his account of their meeting represents the Doctor as having said:

"I was received [at St. Fernandez] and taken charge of by Lieutenant Don Faciendo Malgares, who commanded the expedition to the Pawnees, and whom you will find a gentleman, a soldier, and one of the most gallant men you ever knew. With him I could no longer keep up the disguise, and when he informed me; two days since, that you were on the way in, I confessed to him that I belonged to your party, and we have been ever since anticipating the pleasure we three will enjoy in our journey to Chihuahua; for he is to command the escort, his dragoons being now encamped in the field, awaiting your arrival."

When taken into Spanish custody at his fort, Pike affected ignorance of Robinson and of the latter's purposes in visiting Santa Fé, but when confronted by Governor Allencaster he admitted that he knew the Doctor, yet denied point-blank that the medicine-man was of his party. He had previously instructed those of his soldiers who had been brought in with him that they must not, under any circumstances, recognize Robinson, should they fall in with him, unless he gave them a sign to do so. Pike says that when he was introduced to the Governor "the following conversation took place in French":

Governor.—"Do you speak French?"

Pike.—"Yes, sir."

Governor.—"You come to reconnoitre our country, do you?"

Pike.—"I marched to reconnoitre our own."

Governor.—"In what character are you?"

Pike.—"In my proper character, an officer of the United States Army."

Governor.—“And this Robinson, is he attached to your party?”

Pike.—“No.”

Governor.—“Do you know him?”

Pike.—“Yes, he is from St. Louis.”

Governor.—“How many men have you?”

Pike.—“Fifteen.”

Governor.—“And this Robinson makes sixteen?”

Pike.—“I have already told your Excellency that he does not belong to my party, and shall answer no more interrogatories on that subject.”

Governor.—“When did you leave St. Louis?”

Pike.—“15th July.”

Governor.—“I think you marched in June.”

Pike.—“No, sir.”

Governor.—“Well, return with Mr. Bartholomew to his house; come here again at seven o'clock, and bring your papers.”

Pike attempts to excuse himself for the wretched prevarication to the Governor with this explanation of his motives:

“I had understood the Doctor had been sent 45 leagues from Santa Fé, under a strong guard, and the haughty and unfriendly reception of the Governor induced me to believe war had been declared, and that if it were known Doctor Robinson accompanied me, he would be treated with great severity. I was correct in saying he was not attached to my party, for he was only a volunteer, and could not properly be said to be one of my command.”

The Spanish authorities were not deceived by the web of miserable misrepresentations in which Pike and the Doctor had entangled themselves. The former had been apprised of the Burr conspiracy, but, while they now had no doubt that Pike's expedition was connected with it, they continued to treat the forlorn little band of Americans as guests, rather than as prisoners.

When Pike met Dr. Robinson at “St. Fernandez”, he again affected, for the moment, not to know him. In his account of the meeting, the leader makes the reunion very theatrical, and has himself and the Doctor give vent to some bombast which certainly was overmuch out of place, as both had been the recipients of every courtesy and hospitable attention, notwithstanding their many prevarications and the provoking circumstances that had attended their entrance into Spanish territory. Of his recovery of Robinson, Pike relates the following:

“ . . . We were invited into the house of the commandant. When I entered, I saw a man sitting by the fire, reading a book, with blooming cheeks, fine complexion, and a genius speaking eye. He arose from his seat; it was Robinson! Not that Robinson who had left my camp on the head waters of the Rio del Norte, pale, emaciated, with uncombed locks and beard of eight months' growth, but with fire, unsubdued enterprise and fortitude; the change was indeed surprising. I started back and exclaimed, ‘Robinson!’ ‘Yes.’ ‘But I do not know you’, I replied. ‘But I know you’, he exclaimed; ‘I would not be unknown to you here, in this land of tyranny and oppression, to avoid all the pains they dare to inflict. Yet, my friend, I grieve to see you here and thus, for I presume you are a prisoner.’ I replied ‘No! I wear my sword, you see; all my men have their arms, and the moment they dare to ill-treat us, we will surprise their guards in the night, carry off some horses, and make our way to [the] Apaches, and set them at defiance.’

“At this moment, Captain D'Almansa entered, and I introduced Robinson to him, as my *compañon de voyage* and friend. Having before seen him at Santa Fé, he did not appear much surprised, and received him with a significant smile, as much as to say ‘I knew this.’ We then marched out to the place where the soldiers were encamped, not one of whom would recognize him, agreeable to my orders, until I gave them the sign; then it was a joyful meeting, as the whole party was enthusiastically fond of him.”

Pike appears to have believed up to this time that his denial of Robinson's identification with his party had been taken as truth by the Spanish officers to whom he had made it. But as Captain D'Almansa's "significant smile" had shaken the foundations of that belief, our hero now concluded openly to confess the attempted deception. So, on that day, he wrote to Governor Allencaster as follows:

"On my arrival at this village, and meeting with Dr. Robinson, he informed me that he acknowledged to Lieutenant Malgares to belong to my party. As this acknowledgment, in fact, only interested himself, I am constrained to explain to Your Excellency my reasons for having denied his connection with me. He marched from St. Louis with my detachment as a volunteer, after having with much pains and solicitation obtained permission from the General for that purpose. On our arrival on the Rio del Norte (then supposed to be the Red river) he left the party in order to come to Santa Fé, with a view of obtaining information as to trade, and collect some debts due to persons in the Illinois. On my being informed of his embarrassments, I conceived it would be adding to them to acknowledge his having accompanied a military party on to the frontiers of the Province—and conceived myself bound in honour and friendship to conceal it. But scorning any longer the disguise he had assumed, he has left me at liberty to make this acknowledgement to Your Excellency, which I hope will sufficiently exculpate me in the opinion of every man of honour and of the world, for having denied a fact when I conceived the safety of a friend in a foreign country to be concerned in the event. The above statement will be corroborated by Lieutenant Wilkinson, and he [Robinson] will be reclaimed by the United States as a citizen, agreeably to our treaties with Spain, regulating the intercourse, commerce, &c., between the two nations. I felt disposed to enter into an expostulation with Your Excellency as to the deception practised on me by the officers who came out with your invitation to enter the Province, but will refrain, and only request that my Sergeant and party may be ordered to follow with all possible despatch, as he has all my astronomical instruments and clothing, except what I now wear. I have found Lieutenant Malgares to be what you stated him, a gentleman and a soldier; and I sincerely wish the fortunes of war may one day enable me to shew the gentlemen of the Spanish army, with whom I have had the honour of forming an acquaintance, with what gratitude I appreciate their friendship and politeness, and none more highly than Your Excellency's."

In this letter, Pike only adds to the sorriest of the situation in which his falsehoods had placed him. He still tries to veil, in a cloud of verbal dust, while lauding his personal honor, the obvious purposes of Robinson's visit to Santa Fé. It is somewhat amusing, in full view of his duplicity in dealing with his hosts, to read his complaint as to the "deception practised" on him by the officers who took him from his fort; to find elsewhere in his narrative a condemnation of Lieutenant Salteño because the latter had "deceived" him "and had not acted with candour" in presenting Governor Allencaster's "invitation"; and to hear him denounce the "falsity, want of candour, and meanness" of two Spanish under-officials at Chihuahua, in technically making it seem to appear that he had surrendered his records and other papers voluntarily, and not under restraint. Moreover, as shown by his narrative, he persistently abused the privileges and consideration accorded him by his polite custodians by practising the arts of a shrewd spy and informer at every step of his way through the Spanish territory he traversed.

While he was in the hands of the Spanish authorities, Pike had tidings, from Spanish sources, of the collapse of the Burr conspiracy. Of this, he says, in his letter of great length, written to General Wilkinson from Natchitoches, on July 5, 1807, and in which he outlined some of his ex-

perience while in Spanish custody, told of the loss of his records and papers, and gave "my General" various other particulars of the condition of his affairs:

"We had heard in the Spanish dominions of the convulsions of the western country, originating in Mr. Burr's plans, and that you were implicated; sometimes that you were arrested, sometimes superseded, &c. Those reports (although I never gave credit to them) occasioned me great unhappiness, as I conceived that the shafts of calumny were aiming at your fame and honour, in a foreign country, where they had hitherto stood high, and were revered and respected by every class. At St. Antonio, Colonel Cordero informed me of the truth of the statement, which took a load from my breast and made me comparatively happy, and I hope ere long the villainy will be unmasked and malignity and slander hide their heads."

But how are we to reconcile this, upon a presumption that Pike's expedition was not of the conspiracy, with the following passages in the same letter? (The italics in this and in some of the succeeding quotations are introduced by the present writer.):

"On examining my papers, orders, &c., he [Governor Allencaster] told me to remove my trunk to my own quarters, and that on the morrow he would converse with me on the subject. I had caused the men to secrete my papers about their bodies, conceiving this to be safer than leaving them in the baggage; but in the evening, finding the ladies of Santa Fé were treating them to wine, &c., I was apprehensive their intemperance might discover the secret, and took them from all but one (who had my journal in full) who could not be found, and put them in my trunk, conceiving the inspection was over; but next morning, an officer, with two men, waited on me and informed me that he had come for me to visit the Governor, and had brought these two men to take up my trunk. I immediately perceived I was out-generalled.

". . . I must further add the following anecdote of my men, in whose breasts lay the whole secret of my papers, and whom frequently, when in the Spanish territories, I was obliged to punish for outrages committed in a state of intoxication; yet never did one offer or show a disposition to discover it. *It is certain they knew instant death would follow, but still their fidelity to their trust is remarkable. I have charged them as to communications, and shall dispose of them in such a manner as not to put it in their power to give things much publicity.*"

What was the "whole secret" of his papers, that instant death should be the punishment for its betrayal by any of his soldiers? What was it that his men knew, that they must be so disposed of as to prevent them from giving their knowledge much publicity? Certainly not the trivial incident of the secretion of a part of his documents under the clothing of the men, which some have tried to make it appear. This abortive subterfuge was a thing of the past, and it would make no difference now if the men should proclaim everywhere the attempted trick upon the Spanish authorities. This had been a ruse of the moment and had completely failed of its purpose, without prejudice to either side. Moreover, Pike surely must have known that the Spanish officers would not have suffered him to inflict the least punishment upon an offender in that ease.

That the "secret" was the mainspring of the expedition seems to be made plain by Pike's assurance to "my General" that he had "charged them [his men] as to communications, and shall dispose of them in such a manner as not to put it in their power to give things much publicity"; and that the men so charged, those who were to be disposed of, were the six who had accompanied him on the long journey through the Spanish possessions to Natchitoches, and were still under his military authority.

This letter to Wilkinson was in response to one which Pike received from his General upon his arrival at Natchitoches, and was written on the fourth day after he had reached that place. Wilkinson had received General Salcedo's communication, from Chihuahua, and from which I have already quoted, about the middle of May. After his relation of the untruthful story told by Robinson to Governor Allencaster, Salcedo went on to say:

"On the 25th of the same month of February, at the distance of four days' march from the town of Santa Fé, and nine leagues west of its settlement, at the place called the Ojocaliente (Hot Spring), near the confluence of Rio Grande del Norte (Great North River) and that known under the name River de los Conejos (of Rabbits), a detachment of the garrison of the said Province of New Mexico, met Montgomery Pike, 1st Lieutenant of the infantry of the United States, with eight men of the said infantry, who, on being given to understand that he must be conducted to the said town, consented to accompany them. It was then settled that two of his men should remain on the spot with half of His Catholic Majesty's detachment, to await for six others [of Pike's men] who had not yet arrived; while he proceeded to the Governor's, to whom he declared that his being in that neighborhood was owing solely to his having been lost, and having mistaken the Rio del Norte for the Colorado [Red River]. But this [Spanish] officer, in compliance with the orders of his superior officer, forwarded the said 1st Lieutenant [Pike], with the six men of the American army and the above mentioned John Robinson, to this capital.

"They arrived here on the 2d instant, and the said officer, on being presented to me, laid before me, in the same manner as he had done to the Governor of Santa Fé, the papers relative to his mission, the correspondence he had carried on with Your Excellency since it commenced, his journals and note books.

"Your Excellency is not ignorant of the repeated representations made by the King's Minister in the United States, and by the Marquis of Casa Calva whilst he was in Louisiana, summoning the American government [a warning notification not to] carry into effect any projects of extending its expeditions into territories unquestionably belonging to His Majesty. You must, therefore, without any further observations or remarks on my part, be satisfied that *these documents contain evident, unequivocal proofs that an offense of magnitude has been committed against His Majesty; and that every individual of this party ought to have been considered as prisoners on the very spot.* Notwithstanding such substantial and well-grounded motives as would have warranted such a measure, also wishing to give the widest latitude to the subsisting system of harmony and good understanding, and, above all, firmly persuaded that Your Excellency will take such steps as your judgment may suggest as best calculated to prevent any bad consequences on the occasion, I have concluded to keep in this general government all the papers presented by Lieutenant Pike, and to give him and his men full liberty to return to Your Excellency, after having treated them with attention, and offered them every assistance they stood in need of."

Wilkinson had, ere this time, as the reader will recall, betrayed his master-conspirator and "turned State's evidence" to save himself. He was now professing great horror of the "infamous designs" of "the arch-traitor" and affecting virtuous indignation because he had been accused of being as deep in the mud as Burr was in the mire. Anticipating that Pike, upon his return from New Spain, by the courtesy of General Salcedo, would head for the American outpost at Natchitoches, Wilkinson took pains to have a letter of advice and warning awaiting him there upon his arrival, and which was written on May 20, 1807. In this epistle the treason-stained General said:

"After having counted you among the dead, I was most agreeably surprised

to find, by a letter from General Salcedo, received a few days since, that you were in his possession, and that he proposed sending you, with your party, to our frontier post. I lament that you should lose your papers, but shall rely much on your memory. Although it was unfortunate that you should have headed Red river, and *missed the object of your enterprize*, yet I promise myself that the route over which you have passed will afford some interesting scenes, as well to the statesman as the philosopher.

"You will hear of the scenes in which I have been engaged, and may be informed that the traitors whose infamous designs against the constitution and government of our country I have detected, exposed, and destroyed, are vainly attempting to explain their own conduct by inculpating me; and among other devices, they have asserted that yours and Lieutenant Wilkinson's enterprize was a premeditated co-operation with Burr. Being on the wing for Richmond, in Virginia, to confront the arch-traitor and his host of advocates, I have not leisure to commune with you as amply as I could desire. Let it then suffice to you for me to say, that the information you have acquired, and the observations you have made, *you must be cautious, extremely cautious, how you breathe a word*; because publicity may excite a spirit of adventure adverse to the interests of our government, or injurious to the maturation of those plans which may hereafter be found necessary and justifiable by the government."

After giving Pike some instructions about making his reports and as to his future movements, Wilkinson closed his letter with the following:

"I offer you leave to go immediately to your family, because I apprehend it will be most desirable; yet, if you possess in your information aught which you may desire to *communicate in person*, you are at liberty to proceed, by the shortest route, to the seat of government, near which you will find me, if alive, three or four months hence. I pray you to attend particularly to the injunctions of this hasty letter."

It is hard to reconcile Wilkinson's letter with a theory that the expedition was an innocent exploration as it is to harmonize with such a theory some of Pike's statements in reply. Wilkinson deemed it unfortunate that Pike should have headed the Red, yet in his open instructions he said "your interview with the Camanches will probably lead you to the head branches of the Arkansaw and Red rivers". He invites an early conference with his warned young friend, and his flamboyant denunciation of the traitors, whose "infamous designs" he had "detected, exposed, and destroyed", reads like a cue for Pike, who had threatened with instant death any of his soldiers who should betray the "secret", and promised so to dispose of them that they could do no harm after they had passed beyond his control. Wilkinson's appeal to Pike to be cautious, extremely cautious, how he breathed a word, sounds like a cry from an implicated and frightened man to one who possessed knowledge that would be incriminating as evidence—like an entreaty to a friend to "keep mum". Otherwise—if the expedition had had no relation to the plot and had Pike been in the dark as to the conspiracy—what information could he have acquired that should be so scrupulously guarded from even the least publicity among the American people? We find nothing in his published narrative that really was of great importance from any point of view. The Spaniards were the only people who had counter-interests in the Southwest, but their authorities at Santa Fé and Chihuahua knew that Pike had acted the spy on every day while he was in their territory. Wilkinson's pretended fear that publicity might be "adverse to the interests of our government" hardly rises to the rank of a pretext. Burr was about to be put on trial, and the tarred General was struggling to extricate himself from the ugly situation.

Pike had written his General at some length from Chihuahua, but as the letter had to pass the censorship of General Salcedo, by whom it was forwarded, it contained nothing more than a recital of the circumstances of the writer's capture—including a repetition of his yarn about having mistaken the Rio Grande for the Red; an acknowledgement of his "infinite obligations to the friendship and politeness of all the Spanish officers, and in particular to the Commandant General of these Provinces" [Salcedo]; the expression of a hope that the General would approve his aspiration "to a considerable promotion of the new corps", "should the politics of our country make it necessary to augment the army previous to my arrival", and recommending himself for appointment as one of the commissioners to determine the boundary "should the line of demarkation be amicably adjusted between the United States and Spain". All this was for Salcedo's eyes.

Pike's Natchitoches letter to Wilkinson, written under no such restraint, contains further passages that are of interest in connection with the present subject. He begins:

"Once more I address you from the land of freedom and under the banners of our country. Your esteemed favour of the 20th of May now lies before me, in which I recognize the sentiments of my General and friend, and will endeavour, as far as my limited abilities permit, *to do justice to the spirit of your instructions.*

"I must premise to Your Excellency that my letter of the 20th April, dated at Chihuahua, went through a perusal by General Salcedo, previous to his forwarding it. . . ."

"Being under no restrictions previous to arriving at Santa Fe, I had secreted all my papers which I conceived necessary to preserve, *leaving my book of charts, my orders, and such others as might lead the Governor to know me in my proper character and to prevent his suspicions being excited to a stricter inquiry.*"

Pike here invites these questions: What documents could a non-militant expedition, for treaty-making and scientific and geographical exploration, but which had lost its way and wandered into foreign territory, have had that should not have withstood the strictest inquiry by the authorities of that territory? Did not some of those which he secreted at Chihuahua, show him in an improper character? If not, why should he have feared a stricter inquiry, and how are we to explain his motives and purpose in hurriedly hiding certain of his papers?

After telling of the concealment of the contraband documents upon the persons of his men (which seems to have been a later expedient), and recounting at length the circumstances of the examination and retention of his records and papers, which, as General Salcedo informed him, "would be kept in the secret cabinet of that Captain-Generalship until the pleasure of His Catholic Majesty was known", Pike continues:

"While in the Spanish territories I was forbidden the use of pen and paper, notwithstanding which I kept a journal, made meteorological observations, took courses and distances, from the time I entered their country until my arrival at this place, all of which I brought safe off in the men's guns [those of the six soldiers who accompanied him] (where I finally secreted my papers) [his later notes?] without detection.

"From our unremitting attention, day and night, the immense territory they led us through, and the long time we were in their country, I have been able to collect (I make bold to assert) a correct account of their military force, regular and irregular; also, important and interesting information on geographical situations, political sentiments and dispositions of the people of every class, the manners, arts,

resources, riches, revenues, value and productions of their mines, situation. &c., &c., with the annual revenues paid Bonaparte; and had we possessed as great knowledge of the Spanish language when we entered the territories as when we left them, our information would have been nearly as complete as I could have wished it if sent expressly for the purpose of acquiring it by the open authority of His Majesty. . . ."

Wilkinson's open orders for the expedition contain not a trace of instruction to collect such data as this, yet Pike had begun the work of gathering it before he heard the confused rumors which reached New Mexico "of the convulsions of the western country, originating in Mr. Burr's plans".

"By the Sergeant [Meek], who is still in the rear, and was never suffered to join me, as General Salcedo conceived he should probably procure some information from him, which he could not if [the Sergeant were] immediately under my orders, I expect many other communications of importance from many individuals, who promised to forward them by him. But I presume the General has found himself in an error, as I perceive by a letter from him to Governor Cordero [at San Antonio], the Sergeant killed one of his men in consequence of some improper conduct, and the General accuses him of great intractability, as he is pleased to term it."

Whether Meek had killed one of his own men for improper conduct (as to the "secret?"), or one of Salcedo's in a brawl, is not clear. The Sergeant had charge of "nearly all the baggage", but Pike had taken care to leave "him orders that none of the said baggage should be opened except by force".

Our hero repeated to the Wilkinson Excellency that in spite of the seizure of his records and papers at the time of his capture, he yet possessed

"immense matter, the result of one year's travel in a country deserted and unpopulated, which has been long the subject of curiosity to the philosopher, the anxious desire of the miser, and the waking thoughts and sleeping dreams of the man of ambition and aspiring soul, and in our present critical condition I do conceive immensely important, and which opens a scene for the generosity and aggrandizement of our country, with a wide and splendid field for harvests of honor for individuals. But my papers are in a mutilated state, from the absolute necessity I was under to write on small pieces in the Spanish country; also, from being injured in the gun barrels, some of which I fired three times off to take out the papers. . . . All now form an undigested mass."

"With respect to the Spanish country" he "must know the extent of the objects in view" in order to embrace "these points" in his reports—a remark which some may think savors of an intent to make the reports fit the existing circumstances. He had been

"under the necessity of going into very considerable expense to support what I not only considered my own honour, but the dignity of our army. This, where a captain's pay is two thousand four hundred dollars per annum, was a ruinous thing to my finances; but I hope it may be taken into due consideration."

Pike had been promoted Captain on August 6th of the previous year, when his expedition was on the Osage River, and evidently upon the recommendation of Wilkinson. However, as his last communication from his General bore the same date and is addressed to "Lieutenant Pike"—written at St. Louis before Wilkinson had been advised of his protégé's advancement—Pike could not have heard of his promotion until his ar-

rival at Natchitoches. As published, the letter from Wilkinson that he received there is addressed "To Captain Pike, U. S. Army". But as Wilkinson does not mention the new rank of his protégé in the text of the epistle, in the form in which it appeared in Pike's published report, it seems probable that in this form the document does not contain all that "my General" then wrote him. In his reply he told Wilkinson that "a letter addressed to me 'Cincinnati, Ohio', may possibly reach me on my route, when I hope to receive the approbation of my conduct", and that "many letters written to me, addressed to this place, have been secreted or destroyed: probably the General can give me a hint on the subject". Was this expression of a hope to receive approbation of his conduct inspired by a fear that the General might turn against him as he had against Burr? The Captain's belief in the probability that Wilkinson could give him a hint 'as to the reasons why the "many letters" had been secreted or destroyed would seem to imply much more than one reads in his words. Pike now concludes this remarkable letter to his General with the following:

"These ideas have made a deep impression on my mind, and did not an all-ruling passion sway me irresistably to the profession of arms and the paths of military glory, I would have long since resigned my sword for the rural cot, where peace, health and content would at least be our inmates, should not our brows be crowned with laurel.

"I must now conclude, as this letter has far exceeded the bounds proposed when commenced; but the effusions of my heart are such on its contents that I could not limit them to a more contracted space. Excuse my scrawl, as I am entirely out of patience, but believe me to be,

"Dear General,

"With high respect and esteem,

"Your obedient servant,

"Z. M. Pike, Captain."

If letters addressed to Pike had been "secreted or destroyed" at Natchitoches, doubtless their seizure was due to the cloud of suspicion that hung low over everything connected with his expedition into the Southwest. Should the records and other papers taken from him by General Salcedo ever be brought into the light of day, it is likely that they will reveal something more definite about the "secret" of the undertaking than is available at the present time. It had been generally charged that Pike was an emissary of the Burr conspiracy; and while he was on his journey from Natchitoches to Washington he was regarded everywhere with distrust and looked at askance, as one who had taken part in "the conspirators' infamous scheme", which had brought the young Nation to the verge of revolution and dismemberment. He denounced the accusations most vigorously as calumnies, and in this was assisted by personal friends. But the denials were not commonly believed; and, as the circumstances of the expedition certainly imply, refusal to accept the protestations of innocence was not without reason. The finger of Suspicion was pointed at Pike by many as long as he lived, and his relations with Wilkinson continued to tarnish his name and fame after his death.

In some official quarters Pike fared better. Now that the chief conspirator had avoided conviction (Burr had been acquitted on September 1, 1807), and Wilkinson had escaped indictment by the skin of his teeth, why should an example be made of a subaltern officer of the army, whose previous record had been excellent, even if it were true that he had yielded

to the malign influences of his General and "paternal friend", but of which there was no direct evidence? Moreover, as war with England seemed inevitable and imminent, and as Pike was now vehement in his declarations of innocence and deep patriotism, he might render good service in the approaching conflict, in which the young Nation would have urgent need for every military officer of ability to command. So the smirched Captain was retained in the army.

In response to an inquiry from Pike on February 22, 1808, the purport of which may be discerned in the reply, Secretary of War Dearborn wrote him, briefly and rather stiffly two days later. While the Secretary did not express either his own or the President's approval of the two expeditions of which Pike had been the leader, he said that although they had not been previously ordered by the President, there had been *ex post facto* communications on the subject of each between General Wilkinson and the War Department, and of which the President had been, from time to time, acquainted; that it would "be no more than justice to say" that Pike's personal conduct in these undertakings "met the approbation of the President"; that the information Pike had obtained "has been considered highly interesting in a political, geographical, and historical view": that he might rest assured that his services were held in high estimation by the President; and that "if any opinion of my own can afford you any satisfaction, I very frankly declare that I consider the public much indebted to you for the enterprising, persevering, and judicious manner in which you have performed them."

An effort was made about that time to have Congress provide extra compensation to Pike and his men for their unusual services. The committee to which the matter had been referred reported favorably on March 10th, but no further action was taken at that session. On the 5th of the next December, Secretary Dearborn sent copies of Wilkinson's open instructions to Pike for the two expeditions to "the Committee of the House of Representatives of the Congress of the United States, to whom was referred the resolution to inquire, Whether any, and if any, what [extra] compensation ought to be made to Captain Zebulon M. Pike and his companions, for their services in exploring the Mississippi river, and in their late expedition to the sources of the Osage, Arkansaw, and La Plate Rivers and in their tour through New Spain". In his accompanying letter to the Chairman of the Committee, Dearborn told him that he would "perceive that the instructions were given by General Wilkinson, the object, however, of each party, together with the instructions, were communicated to, and approved by, the President". While those for the second expedition were not communicated to the President until Pike was well advanced into the West, the open instructions to him, as the reader has seen, will stand examination. Dearborn then proceeded to say that "although no special encouragement was given to the individuals who performed these laborious and dangerous expeditions, yet it was but reasonable for them, should they fortunately succeed in their objects, to expect a liberal reward from the government; and as there can be no reasonable doubt of the zeal, perseverance, and intelligence of the commander, or of the faithful conduct and arduous exertions of the individuals generally, composing the respective parties, it may, I trust, be presumed that no objection will be opposed to a reasonable compensation for such meritorious services". On December 16th, the com-

mittee again reported favorably. After reciting the circumstances and results of the expeditions, for the most part in the same words Dearborn had used in his letter to Pike in the previous February, and in the one he had addressed to the committee, the report closed with the following:

“ . . . the zeal, perseverance, and intelligence of Captain Pike as commander, have been meritorious, and the conduct of the individuals generally who composed the parties respectively, has been faithful, and their exertions arduous. The Committee therefore are of the opinion that compensation ought to be made by law to Captain Pike and his companions.”

Nevertheless, such was the feeling among the national lawmakers that Congress refrained from granting any extra compensation to Pike and his men, although provisions had been made for generous rewards to Lewis and Clarke, and for those who had accompanied them to and from the mouth of the Columbia River. Long after Pike's death, his widow revived the matter and appealed to Congress to appropriate to her the additional compensation which she believed had been due her husband; but her petition was ignored. The oft-repeated statement that Pike “received the thanks of the United States Government” for his services in the expedition to the Rocky Mountains is untrue.

Pike's beloved General left an unsavory record. While Brigadier-General in the Army of the Revolution and Secretary of the Board of War, Wilkinson participated in General Thomas Conway's intrigue—the plot of the “Conway Cabal”—to have General Washington displaced. Resigning from the army in 1781, he removed to the Kentucky country three years later, and there became influential, and where he took a leading part in a treasonable scheme to turn over the trans-allegany territory of the United States to Spain. For his services in this impotent affair he was given a pension by the Spanish government, and also valuable trade-concessions in the Spanish possessions bordering upon the Mississippi River, and which enabled him to become the largest dealer in tobacco in the great valley of that river. His connection with that plot then being unknown, Wilkinson was appointed Lieutenant-Colonel in the United States Army in 1791; was made a Brigadier-General in the next year; served under General Wayne in the Ohio campaign against the Indians in 1794; and shortly afterward succeeded Wayne as Commander-in-Chief of the Army. In 1805, when the Louisiana Purchase had been divided into the two Territories of Orleans and Louisiana, President Jefferson appointed Wilkinson also Civil Governor of the latter, with his capital at St. Louis. At this time the corrupt intriguer and scoundrel already was in Burr's confidence. After he had turned traitor to Burr and betrayed and theatrically denounced him, Wilkinson appealed to the Viceroy of New Spain to reward him in money for having thus saved that country from Burr's clutches. In December, 1807, John Randolph brought into Congress a resolution “to inquire into the conduct of Brigadier-General James Wilkinson in relation to his having, at any time, while in the service of the United States, corruptly received money from Spain or its agents”. While Randolph was confident of the man's guilt, it could not be proved. Early in 1810, two Congressional Committees took up new charges against Wilkinson, and caused him to be court-martialed. But again the cunning General escaped, and continued in command of the army. In 1813, during the second war with England, he

was raised to the rank of Major-General, but as he proved incapable, was superseded in 1814. In November of that year he was put on trial by court-martial upon charges of "neglect of duty, drunkenness, conduct unbecoming an officer, and of countenancing and encouraging disobedience of orders". His trial dragged into the next year, when a "not-proven" verdict was rendered. Having been discharged from the service soon after his last trial, the discredited and ostracized General left the United States and located in the City of Mexico, afterward taking some part in the revolutionary movements of the Mexicans, which ultimately resulted in their independence of Spain. He died in the City of Mexico in 1825, the later years of his life having been spent in efforts to collect from the Mexicans a large sum of money which he claimed to be due him for arms and other military equipment which he alleged he had furnished them. Much additional evidence connecting him with Burr's conspiracy, and showing him to have been not only corrupt to the core, but an intriguing traitor during the greater part of his life, came to light after his death.

Is it probable that Pike, the protégé of such a man, and to whom the latter was a "paternal friend", could have been without any knowledge of the General's greatest intrigue when the expedition to the Colorado country was organized and despatched?

Zebulon Montgomery Pike was born in Lamberton, New Jersey, on January 5, 1779. His father, Zebulon Pike, was an officer in the War of the Revolution and in the United States Army afterward; and was breveted Lieutenant-Colonel in 1812. The son entered his father's regiment as a Cadet at the age of fifteen years, and on November 1, 1800, received a Lieutenant's commission. As mentioned heretofore, he was made a Captain in August, 1806. In 1808, he became a Major, in 1809 a Lieutenant-Colonel, and in 1812 a Colonel. He was nominated Brigadier-General on March 12, 1813, and assigned to the duty of Adjutant and Inspector-General, but died a soldier's death before the Senate had confirmed his nomination. He served under General Henry Dearborn in the expedition against York (now Toronto), Canada, in the spring of 1813; and on April 27th bravely led a storming party against a section of the British fortifications there, and which routed its defenders, who, as they fled, fired a train which exploded their magazine. A flying fragment of its masonry struck Pike and inflicted an injury from which he died a few hours later. He was buried in the Fort Tompkins military cemetery, at Sackett's Harbor, New York, but in 1819 his remains were removed to the military cemetery at Madison Barracks, New York, where they now lie. The sword worn by him in the conflict at York is among the collections of the Colorado State Historical and Natural History Society, in the State capitol at Denver.

CHAPTER V.

LONG'S EXPLORING EXPEDITION TO THE ROCKY MOUNTAINS OF COLORADO.—ORIGIN OF THE PROJECT.—THE PARTY'S PERSONNEL AND EQUIPMENT.—DEPARTURE FROM THE MISSOURI RIVER AND MARCH TO THE PAWNEE VILLAGES.—MOVEMENT UP THE PLATTE VALLEY.—EXPEDITION'S ENTRANCE INTO COLORADO.—ABUNDANT ANIMAL LIFE.—RECORD OF AN INDIAN WARPARTY.—FIRST SIGHT OF THE MOUNTAINS.—LONG'S PEAK MISTAKEN FOR PIKE'S.—SOURCE OF ITS PRESENT NAME.—FURTHER ADVANCE UP THE SOUTH PLATTE.—CELEBRATION OF THE FOURTH OF JULY.—CONFUSED DETAILS OF THE MARCH.—CAMP MADE UPON THE SITE OF DENVER. ARRIVAL AT PLATTE CAÑON.—ATTEMPT TO ENTER THE SOUTH PARK.—CASTLE ROCK.—ADDITIONAL CONFUSED DETAILS.—DR. JAMES' ASCENT OF PIKE'S PEAK.—THE "BOILING SPRINGS".—LIEUTENANT SWIFT'S MEASUREMENT OF THE HEIGHT OF PIKE'S PEAK.—MOVEMENT TO THE ARKANSAS RIVER.—SEARCH FOR THE SITE OF PIKE'S "BLOCKHOUSE".—JAMES' VISIT TO THE ROYAL GORGE.—THE HOMEWARD TURN.—DESCENT OF THE ARKANSAS.—AN "EVENT" IN INDIAN SOCIETY.—DIVISION OF THE EXPEDITION.—MAJOR LONG'S MARCH INTO NEW MEXICO AND THENCE TO FORT SMITH.—CAPTAIN BELL'S DESCENT OF THE ARKANSAS TO FORT SMITH.—DISBANDMENT OF THE EXPEDITION, AT CAPE GIRARDEAU, MISSOURI.—SKETCHES OF THE LIVES OF LONG AND JAMES.—PIKE'S "HIGHEST PEAK" NAMED FOR JAMES.—RESULTS OF THE EXPEDITION.

The exploring expedition to the Rocky Mountains in Colorado, in the year 1820, commanded by Major Stephen H. Long, of the United States Army, was the outcome and about the only effective result of a more ambitious enterprise which had been projected in 1818, and which became popularly known at the time as the "Yellowstone Expedition". As stated in the original instructions given him by Secretary of War John C. Calhoun, Major Long, in command of the military and scientific organization which had been formed for the purpose, and using the United States steamboat, "Western Engineer", which had been built near Pittsburgh for exploration of the western rivers, was to

"explore the Missouri and its principal branches, and then, in succession, Red river, Arkansa and Mississippi above the mouth of the Missouri. The object of the Expedition is to acquire as thorough and accurate knowledge as may be practicable, of a portion of our country, which is daily becoming more interesting, but which is as yet imperfectly known. With this view, you will permit nothing worthy of notice, to escape your attention. You will ascertain the latitude and longitude of remarkable points with all possible precision. You will if practicable, ascertain some point in the 49th parallel of latitude, which separates our possessions from those of Great Britain. A knowledge of the extent of our limits will tend to prevent collisions between our traders and theirs. . . . You will conciliate the Indians by kindness and presents, and will ascertain, as far as practicable, the number and character of the various tribes, with the extent of country claimed by each. . . . The Instructions of Mr. Jefferson to Capt. Lewis, which are printed in his travels, will afford you many valuable suggestions, of which, as far as applicable, you will avail yourself."

The expedition also was to locate on the upper Missouri sites for military posts, which were to be established for controlling the Indians, pro-

tecting the American fur traders, and for checking the operations and influence of English traders among the red people in the northerly parts of the Louisiana Purchase.

As there was much public interest at that time in the country beyond the Mississippi, the proposed Yellowstone Expedition stood high in public favor. A new commonwealth, Missouri, carved from that territory, was about to be admitted into the Union, and the people of the States were awakening to the probability that a considerable part of the rest of the trans-mississippi region might be found capable of sustaining populations sufficient to constitute some other States.

Several companies of United States troops, which were to coöperate with Major Long, under the command of Colonel Henry Atkinson, were sent to the site of the present city of Leavenworth, Kansas, in the autumn of 1818, and passed the following winter at that place. The inefficient "Western Engineer", the second steamer to navigate the Missouri, left Pittsburgh, with Long and his party on board, on May 5, 1819; and, after a tedious voyage of more than a month, arrived at St. Louis on June 9th. Clearing from that infant metropolis, on the 21st, the boat turned into the Missouri on the next day. Her headway up that treacherous river was slow, and occasional stops were made—some for a week's duration; and so it was not until September 17th that the boat reached the place appointed for the establishment of winter quarters. This was upon the west bank of the river, some twenty miles above the site of the city of Omaha, and near which the troops that had put in the previous winter at Leavenworth now were quartered. Here Long's party built cabins for a winter camp, which was named "Engineer Cantonment".

On October 11th, Major Long and A. E. Jessup (the expedition's botanist), in company with several frontiersmen, set out down the river, in a canoe, for St. Louis, upon their way to Philadelphia and Washington, where they spent the following winter, leaving their colleagues to employ themselves in examinations of the country adjacent to the cantonment and to gather information relative to the neighboring tribes of Missouri, Iowa, Omaha, Oto, and Pawnee Indians. The season was passed agreeably and with some profit by those who remained at the winter camp in making short excursions here and there and in receiving visiting delegations of their Indian neighbors.

Major Long returned to the West in the spring of 1820, having with him Captain J. R. Bell, of the Regular Army, and Dr. Edwin James, who had succeeded to Jessup's position. The three departed from St. Louis on April 24th, and, crossing the country by land, arrived at Engineer Cantonment on May 28th. Before leaving Washington, Long had received fresh instructions, which upset all previous plans and arrangements for the expedition. Congress, irritated by the dilatoriness of the first season's operations (which had entailed expense out of all proportion to the results accomplished), by the difficulties Colonel Atkinson had had in procuring bateaux for the transportation of his men, by the inefficiency of the "Western Engineer", and influenced by the impaired condition of the national finances, had refused to appropriate money for the further prosecution of the Yellowstone enterprise, but had consented to an exploration of the Far West to the headwaters of the Platte, Arkansas, and Red rivers. Spain and the United States finally had agreed to the terms of a treaty that

fixed the international boundary in the Southwest, and which recognized as Spanish soil all that part of our State's area lying west of the Continental Divide and south of the Arkansas River.

Major Long now announced that "agreeably to the instructions of the Honourable Secretary of War, the further progress of the Exploring Expedition up the Missouri is arrested during the present season. By the same authority an excursion, by land, to the source of the river Platte, and thence by way of the Arkansa and Red Rivers to the Mississippi, is ordered. The Expedition will, accordingly, proceed on this duty as soon as practicable, and be governed by the order of the 31st March, 1819, issued at the United States' Arsenal near Pittsburgh so far as it may be applicable. . . . The duties of the Expedition being arduous, and the objects in view difficult of attainment, the hardships and exposures to be encountered requiring zealous and obstinate perseverance, it is confidently expected that all embarked in the enterprise will contribute every aid in their power tending to a successful and speedy termination of the contemplated tour".

As organized for the march to the Rocky Mountains, the party consisted of Stephen H. Long, Major of the United States Topographical Engineers, commanding the expedition; J. R. Bell, Captain of Light Artillery, United States Army; Lieutenant W. H. Swift, of the Artillery Corps, United States Army, Assistant Topographer, commanding the guard; Dr. Thomas Say, Zoologist, "&c."; Dr. Edwin James, Botanist, Geologist, and Surgeon; T. R. Peale, Assistant Naturalist; Samuel Seymour, Landscape Painter; Stephen Julien, French and Indian Interpreter; H. Dougherty, Hunter; D. Adams, Spanish Interpreter; Zachariah Wilson, Baggage Master; J. Oakley and J. Duncan, *Engagees* (civilian employees); John Sweeney, Private of the Corps of Artillery; Corporal William Parish, and Privates Peter Barnard, Robert Foster, Charles Myers, Mordecai Nowland, and Joseph Verplank, of the Rifle Regiment of the United States Army, Pack-horse Men and Hunters. In all, twenty men.

Dr. James also became the historian of the exploration. His *Account of an Expedition from Pittsburgh to the Rocky Mountains, Performed in the Years 1819 and '20, by Order of the Hon. J. C. Calhoun, Sec'y of War, under the Command of Major Stephen H. Long*, is the only extant full narrative of the "Tour"—as the leader termed it. The original edition, which the present writer here follows, and which is accompanied by two maps, prepared by Lieutenant Swift, showing the entire itinerary for the two years, was published in two volumes, at Philadelphia, in 1823. An edition was published at London, England, in the same year, and which differs somewhat in phraseology; while each contains some paragraphs of minor importance which are missing in the other. In the London edition the two maps are merged into one, which does not agree with the originals in some details. Dr. James' prominent connection with the expedition to the Rocky Mountains lends to his *Account* an authority equivalent to that of an official report. He also had at his command most of the data which his associates had collected, and was aided in his work personally by Major Long. The latter made a general report to the Secretary of War, which was printed in full in the London edition, but of which Dr. James used only some extracts—that form an appendix to his second volume—from the Major's general description of the country he had traversed.

The Doctor says that twenty-eight horses and mules were provided for

the expedition at Engineer Cantonment, "one for each individual of the party, and eight for carrying packs. . . . Our saddles, and other articles of equipage, were of the rudest kind, being, with a few exceptions, such as we had purchased from the Indians, or constructed ourselves". Of the supplies, presents for the Indians, and other equipment taken by the company, he gives the following particulars, among which the reader will find evidence that the party was exceedingly temperate as to its supply of fire-water, as but one quart for each man was taken:

"Our outfit comprised the following articles, of provisions, Indian goods, &c.; viz. 150lb. of pork, 500lb. of biscuit, 3 bushels of parched corn meal, 5 gallons of whiskey, 25lb. coffee, 30lb. sugar, and a small quantity of salt, 5lb. vermilion, 2lb. beads, 2 gross of knives, 1 gross of combs, 3 doz. fire steels, 300 flints, 1 doz. gun worms, 2 gross of hawk's bells, 2 doz. moekasin awls, 1 doz. seissors, 6 doz. looking glasses, 30lb. tobacco, and a few trinkets, 2 axes, several hatchets, forage bags, canteens, bullet-pouches, powder horns, tin canisters, skin canoes, packing skins, pack cords, and some small packing boxes for insects, &c.

"The gentlemen of the party were supplied with such instruments as were deemed indispensably requisite in their several pursuits. The Instruments for topographical purposes were, three travelling, and several pocket compasses; one sextant, with radius of five inches; one snuff box sextant; one portable horizon with glass frame and mercurial trough; one and a half pounds mereury, in a case of box-wood; two small thermometers; several blank books, port folios, &c.

"The hunters, interpreters, and attendants were furnished with rifles or muskets; the soldiers were armed exclusively with rifles, and suitably equipped. Our stock of ammunition amounted in all to about 30 pounds of powder, 20 of balls, and forty of lead, with a plentiful supply of flints and some small shot."

Some of the Indians who were gathered at Engineer Cantonment, "to whom our proposed route had been explained, and who had witnessed our preparations, affected to laugh at our temerity, in attempting what they said we should never be able to accomplish. They represented some parts of the country, through which we intended to travel, as so entirely destitute of water and grass, that neither ourselves nor our horses could be subsisted while passing it". Our old acquaintance, "Baroney" Vasquez, Pike's interpreter, now a trader among the Indians along the Missouri River, and who happened to be at the cantonment at that time, assured Major Long that there was no probability that he could avoid the attacks of hostile Indians, who "infested every part of the country" through which the proposed route would lead him.

Leaving Engineer Cantonment on the 6th of June (1820), Long marched westward, through Nebraska, and on the 11th reached the "Pawnee Villages", which the western map accompanying Dr. James' *Account* places on the Loup Fork (the present Loup River) of the Platte, in a locality some twenty-five miles to the north of the Platte River Grand Island. Here the party was joined by a young Spaniard, "a refugee from some of the settlements of New Mexico, intending to accompany us as far as his fear of his own countrymen would permit": and by two hired Frenchmen, Joseph Bijeau and Abraam Le Doux, the one to serve as guide and interpreter and the other as a hunter and farrier. Again the Americans were warned of the dangers ahead of them. The great chief of the Pawnees declared that they "must have long hearts, to undertake such a journey with so weak a force—hearts that would reach from the earth to the heavens".

After a stay of two days at the Pawnee villages, Long crossed the Loup and moved southward to the Platte River. Thence his course westward was

along the north bank of that stream to its great forks, the North Platte and the South Platte rivers, where he arrived on June 22d, the length of his daily marches having ranged between twenty and thirty miles. The party had had no trouble with Indians, nor from any other cause; but the young Spaniard, probably anticipating trouble for himself should he go nearer the border of New Mexico, had deserted and returned to the Pawnees. Near the camping place on the 18th the ground was strewn with the bones of men and of buffalos. The presence of so many human bones gave rise to the supposition "that at no very distant period a battle had been fought, or a massacre committed, on this spot".

Having forded the North Platte at its mouth before making camp on the 22d, on the next day the party crossed the South Platte, which the historian of the expedition calls "Padouca or South Fork". "Rivière des Padoucas" was, as we have seen in a preceding chapter, a name given by the French to the Platte River in the early part of the previous century. Moving along the southward bank of the South Platte, the explorers, according to Dr. James' map, passed over the intersection of the 41st parallel and the 102d meridian—the northeastern corner of Colorado—on the 26th; but, allowing for his errors of longitude, it would seem that they entered the land of our State on the 21th. While the map's latitudes are not greatly out of agreement with modern determinations, its longitudes in the vicinity of the mountains are almost half a degree too far east. "Large herds of bisons were seen in every direction", and besides these the country through which the party now was marching was "enlivened by great numbers of deer, badgers, hares, prairie wolves, eagles, buzzards, ravens, and owls". It was the opinion of Dr. James that

"this barren and ungenial district appeared, at that time, to be filled with greater numbers of animals than its meager productions are sufficient to support. It was, however, manifest that the bisons, then thronging in such numbers, were moving towards the south. Experience may have taught them to repair at certain seasons to the more luxurious plains of Arkansa and Red river. What should ever prompt them to return to the inhospitable deserts of the Platte, it is not, perhaps, easy to conjecture."

The explorers ended their march of the 26th near a military structure which had been occupied lately by a war-party of Indians, and of which Dr. James tells the following:

"At a few rods distant on our right hand, was a fortified Indian camp, which appeared to have been recently occupied. It was constructed of such broken half-decayed logs of wood as the place afforded, intermixed with some skeletons of bisons recently killed. It is of a circular form, enclosing space enough for about thirty men to lie down upon. The wall is about five feet high, with an opening towards the east, and the top uncovered.

"At a little distance in front of the entrance of this breastwork, was a semi-circular row of sixteen bison skulls, with their noses pointing down the river. Near the center of the circle which this row would describe, if continued, was another skull marked with a number of red lines.

"Our interpreter informed us that this arrangement of skulls and other marks here discovered were designed to communicate the following information, namely, that the camp had been occupied by a war party of the Skeeere or Pawnee Loup Indians, who had lately come from an excursion against the Cumancias [Comanches], Ietans, or some of the western tribes. The number of red lines traced on the painted skull indicated the number of the party to have been thirty-six; the position in which the skulls were placed, that they were on their return to their own country. Two

small rods stuck in the ground, with a few hairs tied in two parcels to the end of each, signified that four scalps had been taken. A record of facts which may be important and interesting to others, is thus left for the benefit of all who may follow."

The party "rode on through the same uninteresting and dreary country as before", and on the 28th passed opposite the mouths of "three small creeks discharging into the Platte from the northeast. One of these, called by the Indians Bat-so-ah, or Cherry creek, heads in the Rocky Mountains." This "Cherry creek" evidently was our Pawnee Creek which unites with the South Platte a few miles southwest of the town of Sterling, the county seat of Logan County. It does not head in the mountains, but has its sources in the northeastern part of Weld County. Long's party did not explore any of the affluents of the South Platte excepting Willow Creek and a part of Plum Creek, which join the river near the lower end of the Platte Cañon. On the 30th, the adventurers forded, at its mouth, a small stream to which they gave the name "Bijean's Creek", apparently in honor of their French guide and interpreter. It still retains this name in the slightly modified form of Bijou Creek. Early in the morning of that day, the explorers came within sight of the tops of the mountains; but, as in the case of Pike, were not certain whether they were mountain-tops or clouds, as Dr. James states in the following extract from his account:

"On the 30th we left our encampment at our accustomed early hour, and at 8 o'clock were cheered by a distant view of the Rocky Mountains. For some time we were unable to decide whether what we saw were mountains, or banks of cumulous clouds skirting the horizon, and glittering in the reflected rays of the sun. It was only by watching the bright parts, and observing that their form and position remained unaltered, that we were able to satisfy ourselves they were indeed mountains. . . . Our first views of the mountains were indistinct, on account of some smokiness of the atmosphere, but from our encampment at noon we had a very distinct and satisfactory prospect of them. . . . Snow could be seen from every part of them which was visible above our horizon."

The point at which the mountains first appeared to the party probably was not far from the site of our town of Fort Morgan, the county seat of Morgan County. "We soon remarked", says Dr. James, "a particular part of the range divided into three conic summits, each apparently of equal altitude. This we concluded to be the point designated by Pike as the 'Highest Peak'." But it was, as the Colorado reader will recognize immediately, the majestic mountain, the name of which now, as it has for many years, commemorates Major Long. Viewed from the East, its upper masses are seen to be split into two peaks; and in the line of sight on their northward side a third, but lower, cone rises. Because of the pair of higher peaks, the early French trappers and fur traders called the great elevation "Les Deux Oreilles" (the Two Ears).

It has been rather a common understanding that Major Long's name was bestowed upon his mountain-monument by the other members of his party, at the time they came into full view of it; but this was not the case. Dr. James does not attach the Major's name to it in the text of his *Account*, while upon his map he designates it as the "Highest Peak", although no attempt was made by any member of the expedition to measure its altitude. Long's name was given it by American traders and trappers within ten years afterward, and by which it had become familiarly known more than a



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decade before the time of Frémont. The mountain appears as "Long's Peak" upon maps made in the middle '30s of that century. Its elevation is 14,271 feet—164 feet higher than Pike's Peak. The error in concluding at first sight that Long's was Pike's "Highest Peak" was not discovered until ten days later, when the party was near the crest of the divide between the South Platte and Arkansas rivers. It is difficult to account for the mistake, as Pike, in his narrative as well as upon his map, plainly locates his "Highest Peak" near the Arkansas. Upon James' map the summit of Long's Peak is placed in latitude 40 degrees 26 minutes, and in longitude 29 degrees (106 west from Greenwich) 10 minutes west from Washington. The modern figures are respectively, 40, 16: 28 (105), 40.

According to the map, camp was made in the evening of July 1st upon the right bank of the South Platte, a short distance below the mouth of the Cache a la Poudre River, to which Dr. James gives no name. Its singular appellation, by which it has for long been known, was given it a few years later by some French hunters and trappers who cached (concealed by burial) a part of their supply of powder near its mouth. The explorers had marched early on the 1st, and traveled "over a tract differing in no respect but its greater barrenness from that passed on the preceding day. . . . Many acres of this plain had not vegetation enough to communicate to the surface the least shade of green; a few dwarfish sunflowers and grasses, which had grown here in the early part of the summer, being now entirely withered and brown". Since entering the land of Colorado the party had seen mirages almost daily, the appearance of which was "so perfect and beautiful" as to deceive nearly every man of the company.

Two days were spent in the camp near the mouth of the Poudre; the 2d of July, being Sunday, "was devoted to rest". The mountains, in plain view, "stretched from north to south, like an immense wall, occupying all that portion of the horizon lying to the northwest, west and southwest".

Starting early on the 3d, the party passed in the course of the day "the mouths of three large creeks, heading in the mountains". Of the third Dr. James tells the following:

"One of these, nearly opposite to which we encamped, is called Potera's creek, from a Frenchman of that name, who is said to have been bewildered upon it, wandering about for twenty days, almost without food. He was then found by a band of Kiawas, who frequent this part of the country, and restored to his companions, a party of hunters, at that time encamped on the Arkansa."

At this juncture there is some confusion between the narrative and the map. According to the latter, the mouths of three more creeks on the west side of the South Platte were passed on the 4th, the second of which is labeled "Potera's Cr.", and the third "Elk Cr."; names which long since dropped out of use. The first stream passed on the 3d would have been the Poudre, which comes from the northwest and discharges into the river, about four miles east of the city of Greeley; the second would have been Big Thompson Creek, which is unnamed on the map; and the third St. Vrain Creek, also unnamed by James. Beginning with the Poudre and ending with Clear Creek, the map has eight streams entering the river from the westward—two more than the facts call for, unless mere rivulets be counted. It seems the more probable that the confusion as to Potera's Creek is due to an error in the map, and therefore that that stream should

be identified with St. Vrain Creek. The party did not attempt to go to Long's Peak, the nearest approach to it having been made on the 3d, when the summit of the mountain still was some forty miles distant.

The camping place in the evening of the 4th is shown on the map as being upon the right bank of the river, where the 40th parallel crosses it; or, allowing for errors of latitude, at no great distance below the site of the present town of Brighton, the county seat of the lately-formed Adams County. Of what was done there on "Independence Day" Dr. James says:

"We had hoped to celebrate our great national festival on the Rocky Mountains; but the day had arrived, and they were still at a distance. Being extremely impatient of any unnecessary delay, which prevented us from entering upon the examination of the mountains, we did not devote the day to rest, as had been our intention. It was not, however, forgotten to celebrate the Anniversary of our National Independence, according to our circumstances. An extra pint of maize was issued to each mess, and a small portion of whiskey distributed. . . . The party remained in camp during the afternoon, when the extra allowance of corn was cooked and eaten, and the whiskey drank in honor of the day."

So our Brightonians may claim for the vicinity of their town the distinction of having been the scene of what most probably was the first celebration of the Fourth of July in all the Rocky Mountain region.

On the 5th, the party "ascended the Platte about ten miles", and then "encamped for the day." Here we find again some confusion between the story and the map, the fault evidently being with the former, which, at this juncture, is very loosely written. The map places the camp of the 5th upon the site of Denver, a little east of where the Union Railway Station stands. From this camp, according to the text,

"Dr. James and Mr. Peale, with two riflemen, Verplank and Bernard, went out for an excursion on foot, intending to ascend the Cannon-ball creek to the mountains, which appeared to be about five miles distant. This creek is rapid and clear, flowing over a bed paved with rounded masses of granite and gneiss. It is from a supposed resemblance of these masses to cannon balls that the creek has received its name from the French hunters. The channel is sunk from fifty to one hundred feet below the common level of the plain. . . . The detached party extended their walk about eight miles without finding the apparent distance to the base of the mountains had very considerably diminished. They had unluckily forgotten to make any provision for dinner, and now found themselves fatigued and hungry at the distance of eight miles from the encampment of the main body, and so far from the mountains that it was evidently impossible to reach them and return on the same day. They therefore determined to relinquish the attempt, . . . and arrived at camp after sunset."

It would seem that "Cannon-ball creek", a name which does not appear upon the map, could have been none other than our Clear Creek, although it is hard to account for the gorge through which it is here said to flow in its course near the river.

At the Denver camp, Major Long and Lieutenant Swift took "a complete set of observations for latitude, longitude, &c.", "having preceded the party in the morning, and arrived before seven o'clock, for that purpose."

In the morning of the 6th, "soon after leaving the encampment, we crossed Vermillion creek, a considerable tributary from the south". This stream, which also appears upon the map by that name, was Denver's Cherry Creek. Dr. James explains the origin of the name by which he knew it by saying that "in some part of its course, its valley is bounded by precipitous

cliffs of a red sand-rock, whence the name of the creek". The French guide, Bijeau, informed the party that a few years before, a band of Indian hunters destroyed every individual of a large herd of buffalos by driving the animals over the brink of one of these precipices.

The historian of the expedition now goes on to say, adding a little more to the confusion of his narrative:

"Opposite the mouth of Vermillion creek, is a much larger stream, from the northwest, which is called Medicine-lodge creek, from an old Indian medicine lodge, which formerly stood near its mouth. A few miles further, on the same side, is Grand-camp creek, heading also in the mountains. About four years previous to the time of our visit, there had been a large encampment of Indians and hunters on this creek. On that occasion three nations of Indians, namely, the Kiawas, Arrapahoes, and Kaskaiaas or Bad-hearts, had been assembled together, with forty-five French hunters in the employ of Mr. Choteau and Mr. Demun of St. Louis. They had been assembled for the purpose of holding a trading council with a band of Shienues. These last had been recently supplied with goods by the British traders on the Missouri, and had come to exchange them with the former for horses. The Kiawas, Arrapahoes, &c., who wander in the extensive plains of the Arkansa and Red river, have always a great number of horses, which they rear with much less difficulty than the Shienues, whose country is cold and barren. . . . Two miles beyond Grand Camp creek is the mouth of Grape creek, and a little above on the opposite side [the easterly side of the river], that of Defile creek, a tributary to the Platte, from the south, which has its course in a uarrow defile, lying along the base of the mountains."

It is not easy to identify "Medicine Lodge", "Grand Camp", and "Grape" creeks certainly. The first appears to be mythical, as there is no stream opposite the mouth of the Vermillion (which must have been Denver's Cherry Creek), nor in that neighborhood, larger than a trifling brook. "Grand Camp" probably was the modern Bear Creek, which flows from the mountains back of Fort Logan; and "Grape" the present "Deer Creek". "Defile Creek" plainly is our Plum Creek, which comes down from Douglas County.

"At eleven o'clock [on the 6th] we arrived at the boundary of that vast plain", say Dr. James, "across which we had journeyed for a distance of nearly one thousand miles" [it was about 625]; . . . The woodless plain is terminated by a range of naked and almost perpendicular rocks, visible at a distance of several miles, and resembling a vast wall, parallel to the base of the mountains. . . . Passing within this first range [the foot-hills], we found a narrow valley separating it from a second ridge of sandstone, of nearly equal elevation, and apparently against the base of a high primitive hill beyond. At the foot of the first range, the party encamped at noon, and were soon scattered in various directions, being eager to commence the examination of that interesting region".

The party remained at the entrance to Platte Cañon until the second day after. In the morning of the 7th, Dr. James and Assistant Naturalist Peale, accompanied by two of the soldiers, "were sent out to examine the mountains", which "appeared most accessible on the north side of the river, which was opposite the encampment. The river was here about four feet deep, and the strength of the current such as to render it impossible for a man to keep on his feet in the deepest part of the stream". Of their crossing Dr. James says:

"As some of the party destined for the mountains could not swim, it was thought hazardous for them to attempt to cross by fording. To obviate this dif-

difficulty, two men were sent with a long rope, which they were directed to stretch across the river, making the ends fast on either shore. This was readily accomplished, one of the men swimming across with the end of the rope in his teeth. By the aid of this the detachment were enabled to keep their feet in crossing, though with extreme difficulty, as the bed of the river was uneven and rocky. They all, however, arrived in safety on the left bank about sunrise."

They "expected to be able to ascend the most distant summits then in sight and return the same evening", but again they were deceived by the effects of the rarefied atmosphere of the mountain country. It was their intention, however, "to cross the first range of the mountains and gain the valley of the Platte beyond", but "after climbing successively to the summit of several ridges, which we had supposed to be the top of the mountains, we still found others beyond higher and more rugged". So the undertaking was abandoned, and the mountain-examiners turned their faces toward the camp, where they arrived "at a late hour of the night". It appears that they did reach a height from which they saw the two forks of the Platte, as James says "we could distinguish" from a point "much elevated above the river", two principal branches of the Platte, one coming from the northwest, the other from the south. A little below the confluence of these branches the river turns abruptly to S. E., bursting through a chasm in a vast mural precipice of naked columnar rocks".

The narrative says the explorers left the camp at Platte Cañon on the morning of the 9th of July, and ascended a small south-side tributary of the South Platte (the modern Willow Creek), along a narrow valley, to its source, where they crossed an inconsiderable ridge which separated it from the valley of "Defile Creek", which they now followed "to a place where its principal branch descends from the mountains", and there went into camp. Here we have another instance of careless recording, as no account of July 8th is made. The map has the party encamp at this place—on or near the site of our town of Sedalia—on the 8th, and remain there until the morning of the 10th; but it seems that the stay was for but one night. In this vicinity, Defile (Plum) Creek was obstructed by so many beaver-dams that "it appeared like a succession of ponds rather than a continued stream".

The events of the 9th and the 10th are merged into a dateless account, and the description of the route followed on those days is so muddled and improbable that nothing satisfactory can be derived from it. But, according to the story, the explorers, on the 9th, clambered to the top of a small mesa, "elevated nearly 1,000 feet, about 800 yards in length and 500 in breadth, the summit of which was of an oval form". From the top of this mesa they had their first sight of Pike's Peak—"the High Peak mentioned by Captain Pike was discovered, and its bearing found to be S. 50 degrees W.". The map has the party encamp on the 10th in close proximity to the peculiar formation to which the explorers gave its present appellation, "Castle Rock", and from which the county seat of Douglas County, which stands near it, took its name. But the map has Monument Creek rising northwest of the Rock, and flowing past it, whereas the "Castle" is on the east fork of Plum Creek. Artist Seymour's picture of the Castle Rock, which appears in the atlas that accompanies James' *Account*, is much more castle—, or rather temple—, like than it is seen by modern eyes. The Doctor refers to it in these words:

“One of these singular hills, of which Mr. Seymour has preserved a sketch, was called the Castle rock, on account of its striking resemblance to a work of art. It has columns, and porticos, and arches, and, when seen from a distance, has an astonishingly regular and artificial appearance.”

The story goes on to tell that on the 11th, “from our encampment, we travelled nearly south, and, crossing a small ridge dividing the waters of the Platte from those of the Arkansa, halted to dine on a tributary of the latter”. This stream was our Monument Creek, which unites with the “Fontaine qui Bouille”, of the French trappers and fur traders, about midway between Colorado City and Colorado Springs. The halting-place probably was near the site of Monument Station, on the Denver & Rio Grande Railway. After dinner the party moved on down the creek, which was “inhabited by great numbers of beavers”, and continued on that course through the remainder of the day. “Towards evening”, says Dr. James, “our guide discovered we had already passed considerably beyond the base of the Peak, near which it had been our intention to halt. As we were particularly desirous of visiting the mountains at the point designated in many maps as the ‘Highest Peak’, we resolved to return upon our course, but as it was now near sunset we thought it advisable to encamp for the night”.

In this part of the *Account* we have still another instance of confusion. According to the narrative, the movement from Castle Rock to the camping-place “considerably beyond [south of] the base of the Peak” was made on the 11th. As “a ride of twenty-eight miles” southwesterly, on the 16th, took the party to the Arkansas River, this camping-place would seem to have been somewhere in the immediate locality of Fountain Station, on the Denver & Rio Grande Railway, and therefore some fifty-five miles distant from Castle Rock. To cover in one day’s travel such a distance in such a country would have required rather a hard forced-march. But, as the date “July 12th” does not appear in the text of the *Account*, it is evident that the records of two days’ march are thrown together under date of July 11th, and therefore that it was in the evening of the 12th that camp was made “a considerable distance beyond the base of the Peak”. At this juncture in the narrative there is a jumbled reference to having “retraced our path of the preceding day”, which is contradicted by the movements in the morning of the 13th, and also by the following:

“From this camp we had a distinct view of ‘the Highest Peak’. It appeared about twenty miles distant, towards the northwest; our view was cut off from the base by an intervening spur of less elevation [Cheyenne Mountain?], but all the upper part of the Peak was visible, with patches of snow extending down to the commencement of the woody region. . . . As one of the objects of our excursion was to ascertain the elevation of the Peak, it was determined to remain in our present camp for three days, which would afford an opportunity for some of the party to ascend the mountain.”

In the morning of the 13th of July, a mounted detachment consisting of Dr. James and four of the soldiers, Lieutenant Swift and the French guide, Bijeau, set out from the camp before sunrise. James and two of his men were to attempt to ascend the peak to its summit, the other two to be left at the foot of the mountain to take care of the horses; while Swift and the guide were to measure the base-line and from it obtain data from which to calculate the peak’s elevation. “Taking the most direct route across the plains”, the detachment reached the “base of the

mountain" at eleven o'clock. Here Lieutenant Swift found a place suited to his purpose, "where also was a convenient spot for those who were to ascend the mountain, to leave their horses in a narrow valley, dividing transversely several sandstone ridges, and extending westward to the base of the Peak". Leaving the horses here, in charge of two men, the rest of the detachment moved up the narrow valley—that of the upper reaches of the Fontaine—on foot, traversing the site of Colorado City and "arriving about noon at the Boiling spring", in the present town of Manitou, the lower terminus of the railroad to the peak's summit. After the noon-time luncheon, James took leave of Swift and with two men began to climb the steep slope, carrying "each a small blanket, ten or twelve pounds of bison meat, three gills of parched-corn meal, and a small kettle".

James' course up the peak can not be traced from his *Account*. But he had not gone far before he "began to credit the assertions of the guide, who had conducted us to the foot of the Peak, and left us with the assurance that the whole of the mountain to its summit was covered with loose sand and gravel, so that though many attempts had been made by the Indians and by hunters to ascend it, none had ever proved successful". James says he "passed several of these tracks". "After clambering with extreme fatigue over about two miles", the climbers halted at sunset in a small cluster of fir trees, where they encamped for the night. As soon as daylight appeared next morning, they suspended in a tree "whatever articles of clothing could be dispensed with, blankets and provisions, except about three pounds of bison flesh", and continued the ascent, "hoping to be able to reach the summit of the Peak and return to the same camp in the evening". The day was "agrecably bright and calm", but one of hard work for the party. The timber-line was passed near noon, but it was about four o'clock in the afternoon when the weary men attained the summit. The view here was magnificent, "diversified with innumerable mountains, all white with snow", and "immediately under our feet on the west lay the narrow valley of the Arkansa, which we could trace running towards the northwest, probably more than sixty miles".

"To the east lay the great plain, rising as it receded, until, in the distant horizon, it appeared to mingle with the sky. . . . The Arkansa with several of its tributaries, and some of the branches of the Platte, could be distinctly traced as on a map, by the line of timber along their courses.

"On the south the mountain is continued, having another summit (probably that ascended by Captain Pike,) at the distance of eight or ten miles. This, however, falls much below the High Peak in point of elevation, being wooded quite to its top. Between the two lies a small lake, about a mile long and half a mile wide, discharging eastward into the Boiling-spring creek. A few miles farther towards the south, the range containing these two peaks terminates abruptly."

Aside from the mere laboriousness of the task, James had had no great difficulty in reaching the summit of Pike's "Grand Peak" on those July days. The latter had recorded his belief that "no human being could have ascended to its pinical"; but it should not be forgotten that he made his effort to go there in an exceptionally inclement time, when the weather was cold and when the entire land of many leagues of mountains and plains laid under a heavy mantle of snow, with himself and his men barely half-clad and more than half-starved.

After the short stay of "only about half an hour" upon the summit,

James and his companions began the descent, but as dusk came on lost their way and went into camp with neither blankets nor food. Resuming the down-hill tramp at daylight next morning, they soon found their camp of the second evening before, but it was in smoking ruins. A fire, which probably had been set a-going by embers blown from their carelessly-abandoned camp-fire, had burned everything they had suspended in the tree, leaving only some half-consumed fragments of the bison meat, upon which they made "a scanty breakfast". Taking a different route for the remainder of the descent, they arrived at the Boiling Spring a little past noon, and then proceeded to the place where the horses had been left. Here they dined bountifully—the horse-tenders having killed a deer that morning. After the dinner the whole party rode off to the camp on the Fontaine, which was reached at nightfall.

It is highly probable, if not certain, that Dr. James and his two associates were the first white men, and perhaps the first of all men, to set foot upon the summit of Pike's Peak. At all events, there is no known record that could be used to dispute their claim to this distinction.

Dr. James found in the bubbling springs at Manitou "a great number of beads and other small articles of Indian ornament", these "having unquestionably been left there as sacrifices or presents to the springs, which are regarded with a sort of veneration by the savages". Guide Bijean assured the Doctor that he had "repeatedly taken beads and other ornaments from these springs and sold them to the same savages who had thrown them in". Some of the Indians of Colorado continued such offerings to the Spirit of the springs until after our Civil War. A modernly popular, but dubious "legend", attributed to the Indians and said to account for the veneration in which they held these fountains, runs as follows:

"Two red hunters having come to the springs, the less successful, in envious anger, seized his rival while the latter was drinking, and held his head beneath the water until he was drowned. Thereupon a vapor arose, and there appeared an avenging spirit who struck the bad-hearted hunter with his war-club, dashing his brains into the spring and so causing the water to be bitter."

James also noted "a large and much frequented road", which passed the springs and entered the mountains, "running to the north of the High Peak". "It is travelled", says he, "principally by the bisons, sometimes also by the Indians, who penetrate here to the Columbia". This "road" was the old trail through the now familiar Ute Pass.

In the meantime, Lieutenant Swift had performed his task. His measurement of the peak's elevation placed its summit at $8,507\frac{1}{2}$ feet above the level of his base, and $11,507\frac{1}{2}$ above the sea. He was not far wrong as to the height above the part of the valley in which he made his observations; but, as in the case of Pike, though in reverse order, he erred greatly in his estimation of the altitude of his base, which he assumed to be 3,000 feet, whereas it was about 5,700, according to the most generally accepted modern determination of the peak's elevation above the sea, which makes it 14,107 feet.

"Complete sets of observations for latitude and longitude" were taken for the location of the camp. These placed it nearly half a degree too far south and about three-fourths of a degree too far west—another instance

of the geographical errors due to inaccurate observations made by the expedition.

On July 16th. the party moved "in a southwestern direction to the Arkansa"—a "ride of twenty-eight miles, which we finished without having once dismounted from our horses", and which "occupied about ten hours of a calm sultry day. in every respect like the preceding, in which the thermometer in the shade ranged from 95 to 100 degrees". Camp was made in the evening of that day upon the north bank of the Arkansas, at or near the mouth of Turkey Creek, which is about seventeen miles west of the confluence of the Fontaine and the Arkansas.

"The place where we encamped", says Dr. James, "was supposed to have been near where Pike's block house formerly stood, but we sought in vain for the traces of anything resembling the work of a white man". This statement betrays remarkable indifference to Pike's narrative and also to his chart. By "Pike's block house", James apparently refers to the "place of defense and deposit" built by Pike upon the site of Cañon City; as the latter, as the reader has seen, distinguishes, in his story as well as upon his chart, the little fortification of logs which he put up on the southward bank of the Arkansas, a short distance above the mouth of the Fontaine, as a "Breastwork"; and his structure at Cañon City as a "Block-house". If James meant the former, he was some fifteen miles west of its location, and upon the wrong side of the river: if the latter, he was about twenty-six miles east of its site.

In the morning of the 17th, the Doctor, Captain Bell and two other men left the Turkey Creek camp "to ascend the Arkansa to the mountains", taking short rations for two days, and halted for the first night a few miles below the site of Cañon City. In the forenoon of the next day they reached the lower end of the Royal Gorge, of which locality the Doctor says:

"We have noticed, that this particular spot is designated in the language of hunters, 'as the place where the Arkansa comes out of the mountains', and it must be acknowledged the expression is not entirely inapplicable. The river pours with great impetuosity and violence through a deep and narrow fissure in the gneiss rock, which rises abruptly on both sides to such a height as to oppose an impassable barrier to all further progress. According to the delineation of Pike's route on the map which accompanies his work, he must have entered the mountains at this place, but no corroboration can be derived from his journal. It appears almost incredible that he should have passed by this route and neglected to mention the extreme difficulty which must have attended the undertaking."

This seems to imply that James had Pike's published *Journal* and chart under his hand at the time he wrote, if not with him when on the expedition. Therefore, he should have known that Pike did not pass through the Royal Gorge either when going or returning on his excursion to the South Park and to the upper reaches of the Arkansas, and also should have recognized this place as the locality in which the dauntless Pike had built his blockhouse, for relics of which James does not appear to have made any search at Cañon City.

In its primitive condition the Royal Gorge truly did "oppose an impassable barrier to all further progress" along the channel of the Arkansas: and in long-after times it gave even the railway builders no little trouble. In locating the Denver & Rio Grande Railway through the gorge, some

members of the surveying corps with their instruments were lowered from the overhanging cliffs by ropes to reach positions from which the more difficult sections of their work could be done.

James and his comrades made but a short stay at the site of Cañon City, as they returned to the camp at the mouth of Turkey Creek late in the evening of the 18th. Early in the morning of the next day all hands turned their backs to the mountains "and began to move down the Arkansa", along its northward bank. While the stores with which they had left the Missouri River now were running low, "it was not without a feeling of regret", says the historian of the expedition, "that we found our long contemplated visit to these grand and interesting objects was now at an end. More than one thousand miles of dreary and monotonous plains lay between us and the enjoyments and indulgences of civilized countries. This we were to traverse in the heat of summer, but the scarcity of game about the mountains rendered an immediate departure necessary". They crossed the ground upon which the city of Pueblo now stands, passing opposite the site of Pike's breastwork in ignorance of their proximity to it. After having cut off twenty-five miles of the Doctor's thousand which were supposed to lie between them and the enjoyments and indulgences of civilization, they went into camp at a place which the map locates a short distance below the union of the St. Charles and the Arkansas.

The homeward-bound troop put out at five o'clock the next morning, and by evening had left twenty-six more miles behind. Soon after starting, "we passed the mouth of a creek on the south side, which our guide informed us is called by the Spaniards 'Wharf creek', probably from the circumstances of its washing perpendicular precipices of moderate height, which is said to be the case". This affluent of the Arkansas was the Huerfano River, and as the pronunciation of its name is nearly like that of "Wharfano", Bijeau may have given the Americans an abbreviated form of the name in use among the trappers and fur traders, and perhaps also by some of the Spaniards of New Mexico. But the Doctor, apparently acting upon the supposition that the guide's name for the stream had come from the obvious facility which its vertical low banks might serve as a wharf for boats, put it down upon his map as "Wharf Creek". The stream rises in Huerfano County, upon the slopes of the Sangré de Cristo Range, its course for the main part being northeast. At this point the map is again out of agreement with the narrative, as it locates the camping place for the evening of this day (July 20th) above the mouth of the Huerfano instead of below.

At five o'clock in the morning of the 21st, the party moved on down the river, still on its northward side, and at ten stopped and made camp. The locality of this historically important halting-place can not be exactly determined. James says it was "about eighteen miles above the confluence of that tributary of the Arkansa, called in Pike's maps 'The First fork', and, by our computation, nearly one hundred miles from the base of the mountains". Eighteen miles above Pike's First Fork, the Purgatoire River—which is so named upon James' map—would place the site of the camp a mile or so to the eastward of our town of La Junta, which, by railway distance, is about seventy-seven miles from the mouth of Turkey Creek. But it is obvious that the explorers had not gone so far. According to the narrative, fifty-one miles had been covered in the first two

days from Turkey Creek, but as to the distance marched on the 21st, James gives no clue further than to mention an advance of "six or eight miles" and then "several miles" more. As this march terminated at ten o'clock in the morning, it is probable that not more than fifteen miles were made on that day. This would locate the camping-place of the 21st somewhere near the site of our town of Rocky Ford, which stands upon the south bank of the Arkansas.

Strange as it may seem, the expedition had encountered no Indians since leaving the Pawnee villages in eastern Nebraska: had traversed a vast extent of Indian country, "without", as Dr. James states, "having met a single savage". But early in the march on July 21st the party met two, a young brave, who gave his name as "The Calf", and his squaw. Of this interesting couple and of their services to the company, Dr. James tells the following:

" . . . We met an Indian and squaw, who were, as they informed us, of the tribe called Kaskaias; by the French, Bad-hearts. They were on horse-back, and the squaw led a third horse, of uncommon beauty. They were on their way from the Arkansa below, to the mountains, near the sources of the Platte, where their nation sometimes resides. They informed us that the greater part of six nations of Indians were encamped about thirteen days' journey below us, on the Arkansa. These were the Kaskaias, Shiennes, Arrapahoes, Kiawas, the Bald-heads, and a few Shoshones, or Snakes. These nations, the Kaskaia informed us, had been for some time embodied, and had been engaged on a warlike expedition against the Spaniards on Red river, where a battle was fought, in which the Spaniards were defeated with considerable loss. At our request, the Kaskaia and his squaw returned with us several miles, to point out a place suitable for fording the Arkansa, and to give us any other information or assistance in their power to communicate. Being made to understand it was the design of some of the party to visit the sources of the Red river, he pretended to give us information and advice upon that subject. . . . Our Kaskaia visitor, with his handsome and highly ornamented wife, encamped near us, having erected a little tent covered with skins. . . . Captain Bell bought of him the horse which they had led with them, and which, according to their account, had recently been caught from among the wild horses of the prairie. . . . The Indian informed us he was called 'The Calf'. He appeared excessively fond of his squaw, and their caresses and endearments they were at no pains to conceal. . . . He took leave of us on the morning of the 23d, having received several presents, with which he appeared highly pleased."

But lackaday! The Calf and his squaw were elopers. She was the wife of another Indian, from whom he had stolen her, and the two now were fleeing far into the land of Colorado. Of this escapade, the Doctor tells:

"It was conjectured by our guide, and afterwards ascertained by the detachment that descended the Arkansa, that this mutually fond couple had married in violation of the laws and usages of their tribe, she being already the wife of another man; and that they had stolen the horse they sold us, and deserted their band to escape punishment."

Immediately upon the party's arrival at this camping-place, which The Calf had located at an easy ford, preparations were begun for the division of the company into two bodies, which were to diverge widely in the farther march across the plains. Of the arrangements for the separation the historian of the expedition says:

"It was now proposed, pursuant to the plan already detailed, that one division, consisting of Mr. Say, Mr. Seymour, Lieutenant Swift, the three Frenchmen, Bijeau, Le Donx, and Julien, with five riflemen, the greater part of the pack-horses and

heavy baggage, under the direction of Captain Bell, should proceed down the Arkansa, by the most direct route, to Fort Smith, there to await the arrival of the other division; while Major Long, accompanied by Dr. James, Mr. Peale, and seven men, should cross the Arkansa, and travel southward in search of the sources of Red river."

The movements of the party were resumed in the morning of July 24th. Major Long, with the division bound for the Red River, and having six horses and eight mules, crossed the Arkansas at five o'clock in the morning. "On arriving at the opposite bank", says Dr. James, "three cheers were given, which our late companions returned from the other side. We lost sight of them as they were leaving the camp to descend the Arkansa."

Long's detachment pursued a course a little to the east of south, with intention to strike and ascend the Purgatory River. This stream was reached at noon of the next day, after a march from the Arkansas which was estimated to have covered thirty-six miles, and at a point probably not far from the present hamlet of Bent's Cañon, in Las Animas County. Early in the afternoon of the 25th, Long turned up "the valley of a small creek, tributary from the southeast to the stream we had been ascending", and went into camp about ten miles from the creek's mouth. This valley evidently was the rough trough of Chaquaqua Creek, which joins the Purgatory about two miles above Bent's Cañon. In the evening of the 26th, camp was made near the head of the creek, and it was with great difficulty that the party, on the 27th, managed to climb out of the gorge into the open country of the Mésa de Maya, "taking, without the least regret, our final leave of the 'Valley of the Souls in Purgatory'."

"Here, the interminable expanse of the grassy desert burst suddenly upon our view. Instead of a narrow crooked avenue, hedged in by impending cliffs and frightful precipices, a boundless and varied landscape lay spread out before us. The broad valley of the Arkansa, studded with little groves of timber, and terminated in the background by the snowy summit of James' [Pike's] Peak, lay in our rear. The Spanish Peaks and numerous spurs of the Rocky Mountains, with the shining pinnacles of the more distant ranges, limited our view on the right. On our left and before us, lay the extended plain diversified with vast conic mounds and insular table-like hills, while herds of bisons, antelopes, and wild horses gave life and cheerfulness to the scene."

Long encamped in the evening of that day at a stagnant pool "about ten miles nearly due south from the point where we had left the valley of the creek"; and on the 28th passed over the 37th parallel—the southern boundary of Colorado. The course on this day was "a little east of south", which took the party to a point on that parallel south by west of the site of the hamlet of Troy, in Las Animas County. James' map has it in longitude 103 degrees 37 minutes.

The Americans moved on southward, through Spanish territory, upon which they had been since crossing the Arkansas, and on the 30th came to a tributary of the Canadian River which flows southeastward out of the present Union County, New Mexico, and which is now called "Major Long's Creek". James' map, which was largely guess-work for this part of the country, makes this stream the upper Canadian, but gives it the name of Mora, an affluent of the Canadian at a point some sixty miles distant. Five days' travel along the course of this branch, passing within 130 miles of Santa Fé, took the explorers to the creek's union with the Canadian, near the present town of Tascosa, in the Texas Panhandle. They sup-

posed that river to be the Red, but suspicions that it was a different stream soon were aroused by its deviation from the course they had attributed to the other, which has its sources in the Texas Panhandle. Yet it was not until they had gone far down the Canadian that its identity became certain to them. Following it to its confluence with the Arkansas, they turned down the valley of the latter, and arrived at Fort Smith on September 13th, where they found Captain Bell and his detachment awaiting them. The journey from the Arkansas had been without incidents of much interest—a long and monotonous march, accompanied by daily hardships, which at times were of the rank of sufferings from scarcity of food. But not a man had fallen out by the way. The only Indians encountered were a moving band of Kaskaias—men, women and children—who were met on August 10th. But they were not hostile.

The narrative of the march of Captain Bell and his detachment down the Arkansas to Fort Smith was contributed to James' *Account* by Dr. Thomas Say. This party had an easier time than those who had gone by way of New Mexico, to hunt for the sources of the Red River. "We could not, however", remarks Dr. Say, "look forward to the trackless desert which still separated us from the uttermost boundary of civilization, and which we had no reason to believe was less than one thousand miles in breadth [the distance from the camp near La Junta to Fort Smith, by the river's windings, was about 700 miles], traversed in many portions of its extent by lawless war parties of various nations of Indians, without an emotion of anxiety and doubt, as to the successful termination of our enterprise".

The march of the first two days was without noteworthy incident. In the evening of July 24th—the day of the separation—Bell encamped near the line between our Otero and Bent counties, and in that of the next day a few miles below the mouth of the Purgatory and not far from opposite Hilton Station, on the Atchison, Topeka & Santa Fé Railway.

Of the Purgatory River, Dr. Say, in a foot-note, says that "this tributary of the Arkansa, designated on the old maps as the First Fork, as we learned from Bijean, is called among the Spaniards in New Mexico, 'The River of the Souls in Purgatory' ". The Spaniards had two names for the River—"Rio Purgatorio" and "Rio de los Animas". The equivalent of the French fur traders and trappers for the former was "Rivière Purgatoire", which some of our American traders and trappers reduced to "Picket-wire" River. On a small map, made in 1849, by Dr. H. R. Wirtz, of the medical staff of the United States Army, the stream is called "Pick of Ware". The Purgatory, which is of a fair size, heads in the far-southwestern part of Las Animas County, near the border of New Mexico, its course to the Arkansas being to the northeast.

Late in the afternoon of July 26th, the party came upon the motley collection of several hundred Kiowa, Kaskaia (probably a branch of the Kiowas), Cheyenne, Arapahoe, and other Indians, of whom the Calf had told them, and whom Dr. Say understood were "distinguished collectively by the name of Padoucas". They were encamped in a part of the unusual growth of cottonwood trees which, in after-times, was called "the Big Timber". These groves were stretched along both sides of the Arkansas for a considerable distance, in the vicinity of the site of our town of Lamar, the county seat of Prowers County.

The Indians swarmed out to meet the strangers, who, as Dr. Say tells,

"were happy to observe, in their features and gestures, a manifestation of the most pacific disposition; they shook us by the hand, assured us by signs that they were rejoiced to see us, and invited us to partake of their hospitality". Bell and his party went into camp here, and remained with their new-found red friends until the afternoon of the 28th. "We had scarcely pitched our tents, watered and staked our horses, before presents of jerked bison meat were brought to us by the squaws, consisting of selected pieces, the fattest and the best, and in sufficient quantity for the consumption of two or three days". On the 27th, visits of ceremony were exchanged, and which were followed by informal calls, powwows, and the passing of presents; the chiefs joining in making a gift of four horses in return for some "knives, combs, vermillion, &c.". "Our tents were filled, and our persons hemmed in by the ardent and insatiable curiosity of the multitude of both sexes, and of all ages, mounted and on foot. To an observer of mankind the present scene was abundantly fruitful and interesting. We could not but remark the ease and air of security with which the equestrians preserved their equipoise on the naked backs of their horses in their evolutions beyond the crowd, nor could we restrain a smile, in the midst of vexatious circumstances, at the appearance of the naked children mounted on horses, sometimes to the number of three or four on each, fearlessly standing erect, or kneeling upon their backs, to catch a glimpse over the heads of the intervening multitude, at the singular deportment, costume, and appearance of the white strangers."

Here the Americans met the duly-incensed husband of the handsome young squaw who had eloped with their friend, the Calf, and who, with her new spouse, now was somewhere in the neighborhood of Pike's Peak. Of the interview with the despoiled one, Dr. Say tells:

"Soon after our arrival, an Indian, well stricken in years, inquired if we had seen a man and squaw within a day or two on our route; we described to him the appearance of the Calf and his squaw. 'That is my wife,' said he, 'who has eloped from me, and I will instantly go in pursuit of them.' He accordingly procured a companion, and both were soon on their way, well armed and mounted."

The fate of the hero in this native western romance is among the unknown details of the Colorado country's early history.

Striking their tents in the afternoon of the 28th, the Americans continued their journey down the Arkansas, and after a short march, according to James' map, made camp near the site of Lamar. Their camping-place in the evening of the 29th was just above the mouth of our Big Sandy Creek, and in that of the 30th upon or near the site of the town of Holly, in Prowers County. The map has them cross the 102d meridian, the eastern boundary of Colorado, in the forenoon of the 31st. In the afternoon of this day they fell in with a band of eight Arapahoe warriors, and on August 1st with a large war-party of Cheyennes. Further than an unsuccessful attempt, mainly by dint of lying, by a member of the Arapahoe band, who was denounced by his comrades, to take as his own property the fine horse which Captain Bell had bought from the wife-stealing Calf, these Indians were not disposed to make trouble for the strangers. On August 7th, the Frenchmen, Bijeau and Le Doux, having more than fulfilled the period of their engagement, left the party and set out across the country to return to the Pawnee villages in eastern Nebraska.

Bell's detachment arrived at Fort Smith on September 9th, without having lost a man by death, and also without having had a hostile encounter with any Indians. The most serious event of the journey was the desertion, on August 30th, of three of the soldiers—Barnard, Myers, and Nowland. These, not content with their theft of three horses, wantonly carried off with them all the records which had been compiled by Dr. Say and Lieutenant Swift since the expedition had left the Missouri River. These papers, which contained a great mass of data, never were heard of again. Toward the end of the journey, the party had been bewildered for several days as to the proper course to the fort, but finally met some Osage Indians who set them upon the right track.

The reunited detachments proceeded from Fort Smith overland to the Missouri town of Cape Girardeau, on the Mississippi River, some forty miles above the mouth of the Ohio, where the organization was disbanded about the middle of October, when Major Long and Captain Bell set out for Washington, leaving their colleagues to act according to their preference.

Shortly after his return from the Far West, Major Long was sent to explore the St. Peter (now the Minnesota) River to its sources; an undertaking which had been contemplated as a part of the projected Yellowstone Expedition, but which had been deferred at the time that enterprise was abandoned.

Stephen Harriman Long was born at Hopkinton, New Hampshire, in 1784. After graduation at Dartmouth College in 1809, he became a teacher. On December 12, 1814, he was appointed Second Lieutenant of Engineers, United States Army, and thereafter, until the spring of 1816, served as Assistant Professor of Mathematics at the United States Military Academy at West Point, New York. On April 29th, of that year, Long was brevetted Major of Topographical Engineers, and soon afterward sent to explore and survey the upper Mississippi and certain of its tributaries—a duty which he performed under many and great difficulties. He also explored much of the country between the lower Arkansas and Red rivers, of which tour his journals, though never published, ranked among the most useful sources of information for that jungled region. For ten years of faithful service in one grade, a period which covered the years of his explorations on and beyond the Mississippi, he was brevetted Lieutenant-Colonel on April 29, 1826. In 1827, he was detached to assume charge of the surveys for the Baltimore & Ohio Railway; and for about ten years thereafter was engaged in engineering on pioneer railways in the West and the South. His *Railroad Manual*, published in 1829, was the first treatise on railway building produced on our side of the Atlantic. In 1838, when the Topographical Engineers were made a separate corps of the United States Army, Long was appointed (July 7th) a Major in the new organization. On September 9, 1861, he became Chief of Topographical Engineers, with the rank of Colonel, and so served until his nominal retirement, by the operation of the age-limit law, on June 1, 1863. But he continued to be entrusted with many important duties, and was in the harness until his death, which occurred at Alton, Illinois, on September 14, 1864.

Dr. Edwin James had preceded his chief into the Great Unknown three years before. Shortly after the publication of his account of Long's expedition to the Rocky Mountains, the Doctor was appointed a Surgeon in the United States Army, and for six years served in that capacity upon

what then was the western frontier. During that time he mastered several of the western Indian languages, one of the results of his studies of these appearing in the form of a translation of the *New Testament* into the Chippeway dialect, published in 1833. In 1830, the Doctor published the *Narrative of John Tanner*, the story of the life adventures of a then well-known Indian interpreter who, when a child, had been stolen from his people. Dr. James resigned his position in the army in 1830, and then became Associate Editor of the *Temperance Herald and Journal*, published at Albany, New York. In 1834, he removed to Iowa, and two years later acquired a body of land near Burlington, upon which he settled and where he lived the life of a prosperous farmer until his death, in 1861. He was born at Weybridge, Vermont, in 1797, and after his graduation at Middlebury College, in 1816, pursued the study of medicine under a brother, David James, who was a practicing physician of Albany, New York. At the same time he prosecuted studies in botany and geology under Dr. John Torrey and Professor Amos Eaton, and was fresh from the tutelage of these instructors when he joined Major Long's expedition.

Major Long bestowed James' name upon Pike's "Grand Peak". The Doctor, accepting the compliment, attached his name to it on his map, and transferred Pike's alternative name for it—"Highest Peak"—to the grand elevation to which the trappers and fur traders in later days gave Long's name. Major Long in his manuscript notes (which remain unpublished), under date of July 15, 1820, says:

"From the information of Indians and hunters who have frequently visited this part of the country, as also from the account given by Pike, relative to this Peak, it appears that no person either civilized or savage, had ever ascended it to its summit, and that the ascent was deemed by them utterly impracticable. Dr. James having accomplished this difficult and hazardous task, I have thought proper to call the Peak after his name, as a compliment, to which his zeal and perseverance, together with the skillful attention with which he has examined its character and productions, give him the fairest claim. Pike has indeed given us notice that there is such a Peak, but he only saw it at a distance. The unfavourable circumstances under which he came into its neighborhood, preventing his arrival, even at its base. He attempted to ascertain its altitude, but it is believed that his estimate is very erroneous."

However, the Peak did not long retain the name of Dr. James. The early American trappers and fur traders in the Rocky Mountain country, among whom Pike had become a popular hero, soon began to call the great landmark by his name, and within ten or twelve years after Long's expedition it appears to have been so known by most of the rangers of the Far West. Frémont has been generally credited with having fixed the name in cartography, but it had appeared upon maps made some years before his time. It is applied to the peak upon the map that accompanies the reports of Colonel Henry Dodge's military expedition to the Rocky Mountains, in Colorado, in the year 1835; and both he and his Adjutant mention the name in a manner implying that it was then the one in common use. Upon a map of the *Northwest Coast and Adjacent Territories*, "drawn by David H. Burr", and published in 1838, the mountain is called "Pike's Peak", and James' name is transferred to another elevation, a few miles to the northwest, but which can not now be certainly identified. An anonymous

small *Map of the United States*, made about the year 1825, by a curious error transforms "James' Peak" into "J. Haines' Peak". Upon these three maps Long's Peak is designated by its present name. During the time in which James' name was applied to Pike's Peak by mapmakers and various writers, Pike's name was given by some to the Spanish Peaks. Thomas J. Farnham, writing of 1839 on the upper Arkansas, in his *Travels in the Great Western Prairies* (New York, 1843), says "Pike's Peak in the southwest, and James' Peak in the northwest, at sunset showed their hoary heads above the clouds that hung around them"; and again, that "sixty miles east of these mountains [the main ranges in Colorado and New Mexico], and 50 south of the Arkansas, stands, isolated on the plain, Pike's Peak, and the lesser ones that cluster around it". These passages point plainly to the Spanish Peaks.

Dr. James did not accept his mountain as being the highest within view from its summit. "Although that point which we have denominated 'James' Peak'", says he, "has been represented as higher than any other part of the mountains, within one hundred or one hundred and fifty miles, we are inclined to believe that it falls much below several other peaks, and particularly that [Long's Peak] which was for so many days observed by the party, when ascending the Platte. . . . By standing a little detached from the principal group of the mountains, it acquires a great portion of the imposing grandeur of its appearance". Within the State of Colorado there are above twenty mountain-summits which are higher than Pike's Peak.

Dr. James' name is not now absent from the mountain-nomenclature of our State. In modern times it was given to a snow-mantled eminence upon the Continental Divide, and of which the pinnacle is nine miles north by west of Georgetown, the county seat of Clear Creek County, and just within the southeasterly extremity of Grand County. The elevation of James' Peak is 13,283 feet.

As different from the experience of Captain Pike as day is from night was that of Major Long's expedition, which had more of the character of a summer excursion into a new and interesting land than of that of an exploration. But while valuable geographical and scientific knowledge of the country through which it passed was acquired, the results as a whole were greatly disappointing to most of the people of the States. Viewed from our distance these do not appear to have been what they should, and time has proved that the verdict of the leaders was based upon superficial conclusions. The march was hurried; the party putting in less than five weeks in Colorado, and halting at only a few places for as long as a full day or two. In his account of their little celebration of the Fourth of July, Dr. James says that he and his associates were "extremely impatient of any unnecessary delay which prevented us from entering upon the examination of the mountains". Yet, aside from his short and almost fruitless excursion to the easterly rim of the South Park, his ascent of Pike's Peak, and his brief visit to the lower end of the Royal Gorge, no examinations of the mountains appear to have been made. The scientific work of the expedition was limited to rather cursory geological, zoological, and botanical observations.

Upon his map, the Doctor labeled the country between the South Platte and Canadian rivers the "Great Desert", and upon the area which is now that portion of the eastern part of Colorado lying between the South Platte

and Arkansas rivers wrote this legend: "The Great Desert is frequented by roving bands of Indians who have no fixed places of residence, but roam from place to place in quest of game". In reviewing the whole matter, he expressed his final estimate in the following:

"We have little apprehension of giving too unfavorable an account of this portion of the country [the general plains region]. Though the soil is in some places fertile, the want of timber, of navigable streams, and water for the necessities of life, render it an unfit residence for any but a nomad population. The traveller who shall at any time have traversed its desolate sands, will, we think, join us in the wish that this region may forever remain the unmolested haunt of the native hunter, the bison, and the jackal."

While Captain Pike had given a discouraging account of a great part of the plains country, he saw considerable values in other parts. But to Major Long the vast area, taking it by and large, was fit only for buffalos and wild goats. Fortunately, however, it would serve as a barrier to prevent too wide an extension of our population westward; a service which Pike likewise had foreseen. In that part of his report to the Secretary of War containing his "description of the country situated between the Meridian of the Council Bluff [on the Missouri River, near Omaha] and the Rocky Mountains", the Major says:

"In regard to this extensive section of country, we do not hesitate in giving the opinion that it is almost wholly unfit for cultivation, and of course uninhabitable by a people depending upon agriculture for their subsistence. Although tracts of fertile land, considerably extensive, are occasionally to be met with, yet the scarcity of wood and water, almost uniformly prevalent, will prove an insuperable obstacle in the way of settling the country. This objection rests not only against the immediate section under consideration, but applies with equal propriety to a much larger portion of the country. Agreeably to the best intelligence that can be had concerning the country both northward and southward of the section, and especially to the inferences deducible from the account given by Lewis and Clark, of the country situated between the Missouri and the Rocky Mountains, above the river Platte, the vast region commencing near the sources of the Sabine, Trinity, Brasis [Brazos], and Colorado [of Texas], and extending northwardly to the forty-ninth degree of north latitude, by which the United States territory is limited in that direction, is throughout, of a similar character. The whole of this region seems peculiarly adapted as a range for buffaloes, wild goats, and other wild game, incalculable multitudes of which find ample pasturage and subsistence upon it.

"This region, however, viewed as a frontier, may prove of infinite importance to the United States, inasmuch as it is calculated to serve as a barrier to prevent too great an extension of our population westward, and secure us against the machinations or incursions of an enemy, that might otherwise be disposed to annoy us in that quarter."

CHAPTER VI.

FRÉMONT'S SEVERAL EXPLORATIONS OF THE FAR WEST.—HIS UNMERITED FAME AS THE "PATHFINDER".—SOME EFFECTS OF THE POPULARITY IT GAVE HIM.—ORGANIZATION AND PURPOSES OF HIS FIRST EXPEDITION, IN 1842.—ADVANCE ACROSS THE PLAINS.—THE LEADER'S DETOUR INTO COLORADO'S AREA AND VISIT TO FORT ST. VRAIN.—HIS SECOND EXPEDITION AND ITS OBJECTS, IN 1843.—ITS PERSONNEL.—JOINED BY WILLIAM GILPIN.—ITS ITINERARY TO FORT ST. VRAIN.—FRÉMONT'S SIDETRIP TO THE ARKANSAS RIVER AND RETURN.—ORGANIZATION DIVIDED INTO TWO PARTIES.—FRÉMONT'S COURSE THROUGH NORTHERN COLORADO.—THE EXPEDITION'S MARCH TO THE COLUMBIA RIVER.—RETURN FROM THE PACIFIC COAST, IN 1843-44.—ITS ROUTE THROUGH THE COLORADO COUNTRY.—ARRIVAL AT FORT BENT.—HOMEWARD COURSE.—THE PATHFINDER'S THIRD EXPEDITION.—ITS PURPOSES.—OVER THE PLAINS TO FORT BENT.—THE DIVIDE CROSSED BY WAY OF THE ARKANSAS RIVER.—ROUTE DOWN THE WESTERN SLOPE AND INTO THE UTAH BASIN.—FRÉMONT REMAINS IN CALIFORNIA.—HIS FOURTH EXPEDITION, IN THE WINTER OF 1848-49.—ENTERS THE MOUNTAINS IN A SEVERE SEASON.—DISASTROUS FAILURE OF THE UNDERTAKING.—REORGANIZATION AT SANTA FÉ AND COURSE TO THE PACIFIC COAST.—SURVEYS FOR A PACIFIC RAILWAY.—CAPTAIN JOHN W. GUNNISON'S EXPEDITION, IN 1853.—TRAVERSES THE CENTRAL PART OF COLORADO FROM EAST TO WEST.—COURSE AND INCIDENTS OF THE SURVEY.—SANGRÉ DE CRISTO PASS PRACTICABLE FOR A RAILWAY.—DIFFICULTIES OF RAILWAY CONSTRUCTION IN THE GUNNISON VALLEY.—GUNNISON AND SEVERAL OTHERS OF THE PARTY KILLED BY INDIANS.—FRÉMONT'S FIFTH AND LAST EXPEDITION, LATE IN 1853.—FOLLOWS IN CAPTAIN GUNNISON'S TRACKS.—HARDSHIPS OF THE PARTY WHEN ON THE WESTERN SLOPE.—PROCEEDS TO CALIFORNIA.—PRACTICABILITY OF A TRANS-CONTINENTAL RAILWAY DEMONSTRATED BY THE SURVEYS BEGUN IN 1853.

John Charles Frémont, who had entered the Regular Army as a Lieutenant of Topographical Engineers under an appointment from civil life by President Jackson, and whose brilliant career is recorded upon many pages of our national history, traversed much more of the old-time Far West than any other explorer of the trans-mississippi country sent into it by the United States government during the first half of the nineteenth century. The official reports and other accounts of his several expeditions to and beyond the Rocky Mountains brought him great fame and popularity as the "Pathfinder", and the American public crowned him with a halo of romance and adventure. Even to this day, our dictionaries specifically define "pathfinder" as "a sobriquet of Gen. John C. Frémont, who discovered new passes in the Rocky Mountains." His achievements in the West contributed as much as anything else—and perhaps a great deal more—toward making him the Republican party's first candidate for the Presidency, in 1856.

But the truth is that Frémont found no "new passes in the Rocky Mountains", and that but few localities which he explored had been untrod-den by white men. The Oregon and Santa Fé trails had become beaten roads before he led his first expedition into the great mountains of the

West, and for each of his undertakings, excepting the last, he had experienced frontiersmen to serve as guides, and who were familiar with the highways and most of the byways in the territory that he traversed. Nearly all the paths he traveled had been known through a train of years prior to his first coming, and in the main his conductors had but little trouble in showing him the way to go. Organizations of French and American fur traders and trappers had been systematically ransacking the western region of mountains and plains since shortly after the time of Captain Pike; while, as we have seen in a preceding chapter, some Frenchmen had become acquainted with the eastern aspects of the Rocky Mountains long before.

Frémont's first expedition into the central West, "as ordered by the Topographical Bureau with the sanction of the Secretary of War", and upon which he made no more than a side-trip into the land of Colorado, was set afoot late in the spring of 1842: its nominal purpose being "to explore and report upon the country between the frontiers of Missouri and the South Pass in the Rocky Mountains". But he says, in his *Memoirs* (Chicago and New York, 1887), that "it was not long after that it was avowed to be 'in aid and auxiliary to the Oregon emigration'". It appears also to have been understood that Frémont was to take notice of favorable sites for some military posts which were contemplated for the protection of the fur-gathering people and the American emigration to the Columbia River country; the latter movement having been initiated several years before.

Final preparations for the expedition were completed at Cyprian Chouteau's trading post, on the south side of the Kansas River, about ten miles above the mouth of that stream. The organization consisted of Lieutenant Frémont, Charles Preuss, Assistant Topographer; Christopher ("Kit") Carson, guide; Lucien Maxwell (brother-in-law of Carson), hunter; Henry Brant, a young man nineteen years of age; Randolph Benton, "a lively boy of twelve", son of Missouri's famous Senator, Thomas Benton, whose daughter, Jessie, Frémont recently had married; and twenty-two experienced plainsmen, mostly Canadian Frenchmen, who had been in the service of the fur companies and other traders.

Leaving Chouteau's post in the morning of June 10th, Frémont and his party, mounted upon horses, and with a supply-train of carts drawn by mule teams, moved southwesterly to the Santa Fé trail, upon which, on the next day, they reached the junction of the Oregon Trail with the older road. Thence their course was upon the former, which crossed the Kansas River a few miles below the site of the city of Topeka, ran northwest into and up the valleys of the Big and Little Blue rivers, and on to the Platte River, striking the latter about twenty miles below the head of Grand Island, and at which place the company arrived on June 26th. Continuing upon the trail, up the Platte, on the south side of the river, the expedition passed the union of the North Platte and the South Platte on July 2d; and on the 4th went into camp on the South Platte "within a few miles of [below] the place where the road [the Oregon Trail] crosses to the North Fork"—the North Platte. The party had had no serious trouble, and had seen but three Indians—two Cheyenne men and a boy of thirteen—bound for their people's village, which was well up on the South Platte, and who, at Frémont's invitation, accompanied him for the remainder of their homeward journey.

The leader, in his report, says that "various reasons" led him to divide his company at the encampment of July 4th. and goes on thus to state them:

"The North Fork was the principal object of my survey; but I was desirous to ascend the South Branch, with a view of obtaining some astronomical positions, and determining the mouths of its tributaries as far as St. Vrain's Fort, estimated to be some two hundred miles farther up the river and near to Long's Peak. There I hoped to obtain some mules, which I found would be necessary to relieve my horses. In a military point of view, I was desirous to form some opinion of the country relative to the establishment of posts on the line connecting the settlements with the South Pass of the Rocky Mountains, by way of the Arkansas and the South and Laramie Forks of the Platte. Crossing the country northwestwardly, from St. Vrain's Fort to the American [Fur] Company's Fort [Fort Laramie] at the mouth of Laramie, would give me some acquaintance with the affluents which head in the mountains between the two."

Leaving the main body of his party to proceed to Fort Laramie by the Oregon Trail, and there to await his arrival, "which would be prior to the 16th", Frémont, accompanied by Lucien Maxwell, Basil Lajeunesse, Honoré Ayot, and the three Cheyennes, set out in the morning of July 5th upon his side-trip to Fort St. Vrain. On July 6th, when about ten miles below the mouth of Lodge-pole Creek,

"we crossed the bed of a considerable stream, now entirely dry—a bed of sand. In a grove of willows near the mouth, were the remains of a considerable fort, constructed of trunks of large trees. It was apparently very old, and had probably been the scene of some hostile encounter among the roving tribes. Its solitude formed an impressive contrast to the picture which our imaginations involuntarily drew of the busy scene which had been enacted there."

Frémont and his companions reached Fort St. Vrain on July 11th, without mishap. Of the structure's situation and of the party's reception there the leader says:

"This post is situated on the South Fork of the Platte, immediately under the mountains, about seventeen miles east of Long's Peak. It is on the right bank, on the verge of the upland prairie, about forty feet above the river, of which the immediate valley is about six hundred yards wide. The stream is divided into various branches by small islands, among which it runs with a swift current. . . . At the fort we found Mr. St. Vrain, who received us with much kindness and hospitality. Maxwell had spent the last two or three years between this post and the village of Taos [New Mexico]; and here he was at home, and among his friends."

The stay at Fort St. Vrain was short. The "kindness of Mr. St. Vrain" having enabled Frémont to procure "a couple of horses and three good mules", and with the addition of a Mexican hired at the fort, "and two others, who were going to obtain service at Laramie's Fork", the party started northward in the forenoon of the 12th, fording the South Platte at a place not far below the fort. "For a short distance, our road lay down the valley of the Platte, which resembled a garden in the splendor of fields of varied flowers which filled the air with fragrance". The Cache a la Poudre was crossed at noon, and the evening camp was made on Crow Creek, after twenty-eight miles of travel. "According to the estimate of the country", Fort Laramie was nearly due north, and distant about one hundred and twenty-five miles from Fort St. Vrain. The

remainder of the journey was covered during the next three days, the party arriving at Fort Laramie in the evening of July 15th.

The united company left that post on July 21st, and by the middle of August reached the limit of the march into the Rocky Mountains. The course homeward was by way of the North Platte to its junction with the South branch, and then by the main Platte to its mouth, at which the party arrived at the end of September. Here, at a trading post of the American Fur Company, a large boat was built, in which Frémont and his associates descended the Missouri and Mississippi rivers to St. Louis.

Early in the spring of 1843, Frémont began to prepare for his second expedition, the first in which he made extensive explorations of parts of Colorado's territory, and which, according to the orders he received,

"was to connect with the first expedition at the South Pass, but to approach the mountains on a different line. It was intended to examine the broad region south of the Columbia River, lying between the Rocky Mountains and the Pacific Ocean. In this way the two expeditions would give a connected survey of the interior and western half of the continent."

The leader, with a part of his company, arrived by steamer "at the little town of Kansas [the germ of the present Kansas City], near the junction of the Kansas River with the Missouri", on May 17th, where he completed his preparations for the expedition. The organization as perfected consisted of thirty-nine men in all, among whom was Charles Preuss, who had been with Frémont in the year before, and who was again to be his Assistant Topographer: Thomas Fitzpatrick, who was to serve as guide as far as the mountains, and who had seen "many years of hardship and exposure in the western territories": Theodore Talbot, of Washington City, "attached to the party with a view of advancement in his profession"; and Frederick Dwight, "a gentleman of Springfield, Mass., who availed himself of our overland journey to visit the Sandwich Islands and China, by way of Fort Vancouver". The engagees, principally Canadian and Creole Frenchmen, were Alexis Ayot, François Badeau, Oliver Beaulieu, Jean Baptiste Bernier, John A. Campbell, John G. Campbell, Manuel Chapman, Ransom Clark, Philibert Courteau, Michel Crelis, William Creuss, Clinton Deforest, Jean Baptiste Derosier, Basil Lajeunessé, François Lajeunessé, Henry Lee, Louis Menard, Louis Montreuil, Samuel Neil, Alexis Pera, James Power, Raphael Proue, Oscar Sarpy, Baptiste Tabeau, Charles Taplin, Baptiste Tesson, Auguste Vasquez, Joseph Verrot, Patrick White, Tiery Wright, Louis Zindel, and two Delaware Indians—"a fine-looking old man and his son, who were engaged to accompany the expedition as hunters". The party was armed generally with Hall's carbines, and had a brass twelve-pound howitzer. The camp-equipment and provisions were laden in twelve carts, each drawn by two mules, while a light covered spring-wagon was provided for the safer carriage of the instruments.

Moving from the river on May 29th, on a southwesterly course, as in the previous year, the expedition reached the Santa Fé Trail, at Elm Grove, on the 31st. "Here", says Frémont, in his report, "we were joined by Mr. William Gilpin, of Missouri [in later years the first Governor of Colorado Territory], who, intending this year to visit the settlements in Oregon, had been invited to accompany us, and proved a useful and agreeable addition to the party". From Elm Grove the company proceeded to the divergence

of the Oregon Trail, which was followed nearly to its crossing of the Kansas River. "Trains of wagons were almost constantly in sight, giving to the road a populous and animated appearance, although the greater portion of the emigrants were collected at the crossing, or already on their march beyond the Kansas River." On June 3d, when within a few miles from the fording-place, the Frémont party turned up the valley of the Kansas, and on the 8th arrived at the confluence of the Smoky Hill and Republican rivers, which, by their union, form the Kansas River. Crossing the Smoky Hill at its mouth, the party's course for several days was west by north up the valley of the Republican. The advance of the expedition "had been laborious and extremely slow", and by the evening of June 14th only 265 miles had been traversed since it left the Missouri river, "the unusually wet spring and constant rain having so saturated the whole country that it was necessary to bridge every water-course, and, for days together, our usual march averaged only five or six miles". "Finding that at such a rate of travel", continues Frémont, "it would be impossible to comply with my instructions, I determined at this place [the evening camp of June 14th] to divide the party, and, leaving Mr. Fitzpatrick with twenty-five men in charge of the provisions and heavier baggage of the camp, to proceed myself in advance, with a light party of fifteen men, taking with me the howitzer and the light wagon which carried the instruments."

In the morning of the 16th, the leader and his fifteen men, among whom was Maxwell, started on ahead, with the understanding that Fitzpatrick and the rest of the company should follow at a slower gait. Frémont's course was westward, across the headwaters of the Solomon River and several of the Republican's upper branches and thence on to the South Platte, which he reached on June 30th, at a point near the southeastern corner of our Logan County. Here he turned up the right bank of that river, and about noon of the 4th arrived at Fort St. Vrain, where he and his companions received a hearty welcome. Fitzpatrick, with his division of the party, having followed the same route, appeared at the fort a week or so later.

Frémont had depended on obtaining fresh animals and replenishing his supply of provisions at Fort St. Vrain, but as to these expectations he was disappointed, having found the fort "in a very impoverished condition". Maxwell's term of employment now was at an end, and as he was about to go to his home at Taos, Frémont engaged him to purchase ten or twelve mules, "with the understanding that he should pack them with provisions and other necessities, and meet me at the mouth of the Fontaine qui Bouit, on the Arkansas River, to which point I would be led in the course of the survey".

Maxwell set out on a direct course homeward early in the morning of July 6th, and in the forenoon of that day Frémont and his companions began their journey up the South Platte, having left instructions for Fitzpatrick directing him, upon his arrival at Fort St. Vrain, to remain there and await the party's return. In the evening of July 7th, Frémont encamped on the right bank of the river, "a little above Cherry Creek", the place being in what is now "West Denver". Shortly before this halt, he passed through an Arapahoe village, in the river bottom, and which consisted of about one hundred and sixty lodges. "It appeared extremely populous, with a great number of children; a circumstance which indicated

a regular supply of the means of subsistence." Continuing up the river on the next day, nearly to the mountains, Frémont took his way up the course of Plum Creek, which appears on his map as "Vermillion C.", a name that Dr. James had applied to Cherry Creek. On the 9th, from the vicinity of Castle Rock, he turned eastward, "along the dividing ground between the South Fork of the Platte and the Arkansas", and, as provisions were running low, "in hope of falling in with the buffalo". From a headwater of Bijou Creek, on July 11th, he proceeded south by west, and on the second day thereafter struck the Fontaine at a point about fifteen miles below the site of Colorado Springs. The course to the mouth of the Fontaine, at which the party arrived at noon of the 14th, was down the east side of that stream.

Maxwell, who was to have met Frémont here with mules and provisions, had failed to keep the appointment, having been detained on the Rio Grande by a tumult among the Pueblo Indians of Taos against the "foreigners" of that place. Concerning this disappointment, Frémont says:

"By this position of affairs our expectation of obtaining supplies from Taos was cut off. I had here the satisfaction to meet our good buffalo hunter of 1842, Christopher Carson, whose services I considered myself fortunate to secure again; and as a reinforcement of mules was absolutely necessary, I despatched him immediately, with an account of our necessities, to Mr. Charles Bent, whose principal post is on the Arkansas River, about seventy-five miles below Fontaine qui Bouit. He was directed to proceed from that post by the nearest route across the country, and meet me, with what animals he should be able to obtain, at St. Vrain's Fort. I also admitted into the party Charles Towns—a native of St. Louis, a serviceable man, with many of the qualities of a good *voyageur*."

In the morning of July 16th, the full limit of time for Maxwell's appearance having expired, Frémont started upon his return to Fort St. Vrain, going up the east side of the Fontaine, and arrived at the "Boiling Springs", Manitou, in the evening of the next day, and where the party remained until the morning of the 19th. Thence the course of the journey was up Monument Creek and over the divide to the head of Plum Creek, near which the divergence eastward had been made on the outward march. The party now descended Plum Creek to the South Platte and proceeded down the east side of the river to Fort St. Vrain.

"Reaching St. Vrain's Fort on the morning of the 23d, we found Mr. Fitzpatrick and his party in good order and excellent health, and with him my true and reliable friend, Kit Carson, who had brought ten good mules with the necessary pack-saddles. Mr. Fitzpatrick, who had often endured every extremity of want during the course of his mountain life, and knew well the value of provisions in this country, had watched over our stock with jealous vigilance; and there was an abundance of flour, rice, sugar, and coffee in the camp; and again we fared luxuriously."

Frémont "had been able to obtain no certain information in regard to the character of the passes in this portion of the Rocky Mountain range, which had always been represented as impracticable for carriages, but the exploration of which was incidentally contemplated with the view of finding some convenient point of passage for the road of emigration, which would enable it to reach, on a more direct line, the usual ford of the Great Colorado—a place considered as determined by the nature of the country beyond that river". Frémont goes on to say:

"Into this uncertain and dangerous region small parties of three or four trappers who now could collect together rarely ventured; and consequently it was seldom

visited and little known. Having determined to try the passage by a pass through a spur of the mountains made by the Cache a la Poudre River, which rises in the high bed of mountains around Long's Peak, I thought it advisable to avoid any innumbrance which would occasion detention, and accordingly again separated the party into two divisions—one of which, under the command of Mr. Fitzpatrick, was directed to cross the plains to the mouth of Laramie River, and, continuing thence its route along the usual emigrant road, meet me at Fort Hall, a post belonging to the Hudson Bay [Fur] Company, and situated on Snake River, as it is commonly called in the Oregon Territory, although better known to us as Lewis' Fork of the Columbia.'

Frémont selected from the company the following-named men to constitute his party, "a number of whom old associations rendered agreeable" to him: Charles Preuss, Christopher Carson, Basil Lajeunessé, François Badeau, Jean Baptiste Bernier, Louis Menard, Raphael Prone, Jacob Dodson, Louis Zindel, Henry Lee, Jean Baptiste Derosier, François Lajeunessé, and Auguste Vasquez. To these was added Alexander Godey, "a young man about twenty-five years of age, who had been in this country six or seven years", hired at Fort St. Vrain to serve as a hunter, in place of the two Delaware Indians, who had now decided to return to their homes.

On July 26th, the two parties started upon their respective routes. Fitzpatrick took the old trail northward to Fort Laramie, while Frémont diverged to the northwest at Big Thompson Creek. Ascending that stream several miles from its crossing by the Laramie Trail, he then passed over to the Cache a la Poudre River. After moving up the latter's course for three days, he turned northward, and in the evening of the 30th encamped on or near the 41st parallel—the northern boundary of our State, after having traveled, according to his measurement, eighty miles from Fort St. Vrain. On the preceding day, he had been "compelled by the nature of the ground to cross the river eight or nine times at difficult, deep, and rocky fords, the stream running with great force, swollen by the rains—a true mountain torrent, only forty or fifty feet wide. It was a mountain valley of the narrowest kind—almost a chasm; and the scenery very wild and beautiful".

Frémont's route thence was northwest, along the easterly base of the Medicine Bow Range and on to the Oregon Trail. Proceeding westward upon that highway, through the South Pass and beyond the Green River, he took a winding course to the Great Salt Lake, from which he went north to Fort Hall, where he arrived on September 18th, and found Mr. Fitzpatrick and his party awaiting him. From Fort Hall the united company went down the Snake River Valley and on to the Columbia River.

Upon his homeward journey, Frémont left the Dalles of the Columbia on November 25th (1843), and during the following winter made his way southward through central Oregon and California to a point at the eastern base of the Sierra Nevada Range to the northeast from Los Angeles. His route thence was northeastwardly, into and across the Utah Basin to Utah Lake. Crossing the Wasatch Range, he continued upon a northeasterly course, and entered the northwestern corner of Colorado's area early in June (1844), by way of Brown's Hole.

Moving on toward the northeast, Frémont crossed into territory of the present State of Wyoming and passed over the Continental Divide into the valley of the North Platte, which he entered on June 13th. In his report, under that date, he says:

"We were now about two degrees south of the South Pass, and our course home would have been eastwardly; but that would have taken us over ground already ex-

amed, and therefore without the interest which would excite curiosity. Southwardly there were objects worthy to be explored, to-wit: The approximation of the headwaters of three different rivers—the Platte, the Arkansas, and the Grand River Fork of the Rio Colorado of the Gulf of California; the passes at the heads of these rivers; and the three remarkable mountain coves, called parks, in which they took their rise. One of these parks [our "Middle Park"] was, of course, on the western side of the dividing ridge; and a visit to it would require us once more to cross the summit of the Rocky Mountains to the west, and then to recross to the east; making in all, with the transit we had just accomplished, three crossings of that mountain [range] in this section of its course. But, no matter. The coves, the heads of the rivers, the approximation of their waters, the practicability of the mountain passes, and the locality of the *three parks*, were all objects of interest; and, although well known to hunters and trappers, were unknown to science and to history. We therefore changed our course, and turned up the Valley of the [North] Platte, instead of going down it."

Moving in a southeasterly direction, along the base of the main range, with the North Platte upon his left, Frémont reentered the land of Colorado about noon of June 15th; and in the evening of that day encamped on the river at a place a few miles southwest of the present hamlet of Pinkhampton (in Larimer County). "The valley narrowed as we ascended," says he, "and presently degenerated into a gorge, through which the river passed as through a gate. We entered it, and found ourselves in the New Park [our "North Park"]—a beautiful circular valley of thirty miles diameter, walled in all around with snowy mountains, rich with water and with grass, fringed with pine on the mountain sides below the snow-line, and a paradise to all grazing animals. The Indian name for it signifies 'Cow Lodge', of which our own may be considered a translation: the enclosure, the grass, the water, and the herds of buffalo roaming over it, naturally presenting the idea of a park."

Taking a course up the westward fork of the North Platte, Frémont crossed the divide on the 17th and descended into our Middle Park, which was then known as "Old Park". "We fell into a broad and excellent trail, made by buffalo, where a wagon would pass with ease; and in the course of the morning we crossed the summit of the Rocky Mountains, through a pass which was one of the most beautiful we had ever seen." Having followed Milk Creek to its union with the Grand River, the party here encountered a large band of Arapahoe and Sioux Indians, who were disposed to make trouble until mollified by a generous number of presents. Proceeding up the Blue River, the explorers passed from its farthest headwater in the southwestern part of the Middle Park across the range to the head of the South Fork of the South Platte River, in the northwestern section of the South Park, on the 21st. Moving down the South Fork on the next day, the party passed, about noon, within hearing distance of a battle between Ute and Arapahoe Indians; and during the afternoon Pike's Peak was plainly in view. "This was a familiar object", says Frémont, "and it had for us the face of an old friend. At its foot were the springs, where we had spent a pleasant day in coming out. Near it were the habitations of civilized men; and it overlooked the broad, smooth plains, which promised us an easy journey to our home." Of his exit from the South Park and descent from the mountains to "the habitations of civilized men", the leader's report tells the following:

"The next day [June 22d] we left the river [the South Fork of the South Platte], which continued its course toward Pike's Peak; and, taking a southeasterly direction, in about ten miles we crossed a gentle ridge, and, issuing from the South Park, we found ourselves involved among the broken spurs of the mountains which border the great prairie plains. Although broken and extremely rugged, the country was very interesting, being well watered by numerous affluents to the Arkansas River, and covered with grass and a variety of trees. The streams which, in the upper part of their courses, ran through grassy and open hollows, after a few miles all descended into deep and impracticable canons, through which they found their way to the Arkansas Valley. Here the buffalo trails we had followed were dispersed among the hills, or crossed over into the more open valleys of other streams. During the day our road was fatiguing and difficult, reminding us much, by its steep and rocky character, of our travelling the year before among the Wind River Mountains; but always at night we found some grassy bottom, which afforded us a pleasant camp. In the deep seclusion of these little streams we found always an abundant pasturage and a wild luxuriance of plants and trees. . . . After several days' laborious travelling we succeeded in extricating ourselves from the mountains, and on the morning of the 28th encamped immediately at their foot, on a handsome tributary of the Arkansas River. In the afternoon we descended the stream, winding our way along the bottoms, which were densely wooded with oak, and in the evening encamped near the main river. Continuing the next day our road along the Arkansas, and meeting on the way a war party of Arapahoe Indians (who had recently committed some outrages at Bent's Fort, killing stock and driving off horses), we arrived before sunset at the pueblo near the mouth of the Fontaine qui Bouit River, where we had the pleasure to find a number of our old acquaintances."

Leaving the Pueblo on June 30th, Frémont's "cavalcade moved rapidly down the Arkansas, along the broad road which follows the river", and in the afternoon of the next day arrived at Bent's Fort. "As we emerged into view from the groves on the river, we were saluted with a display of the national flag and repeated discharges from the guns of the fort, where we were received by Mr. George Bent with a cordial welcome and a friendly hospitality, in the enjoyment of which we spent several very agreeable days."

Frémont set out from Bent's Fort upon his way to the Missouri River on July 5th, continuing upon the "broad wagon road" down the Arkansas for about twenty miles, where he crossed northeastwardly to the headwaters of the Smoky Hill River. Following the course of this stream to a point near the site of the present town of Lindsborg, Kansas, he diverged to the Santa Fé Trail, upon which he proceeded eastward, arriving at "the little town of Kansas" on the last day of that month. On August 1st, the party boarded a steamboat bound for St. Louis, where the organization was disbanded a week later.

Frémont's third expedition into and beyond the Rocky Mountains, and on which he crossed from east to west the central part of Colorado's domain, was undertaken in the summer of 1845. Of its purposes, he tells the following in his *Memoirs*:

"Concurrently with the Report upon the second expedition the plans and scope of a third one had been matured. It was decided that it should be directed to that section of the Rocky Mountains which gives rise to the Arkansas River, the Rio Grande del Norte of the Gulf of Mexico, and the Rio Colorado of the Gulf of California; to complete the examination of the Great Salt Lake and its interesting region; and to extend the survey west and southwest to the examination of the great ranges of the Cascade Mountains and the Sierra Nevada, so as to ascertain the lines of communication through the mountains to the ocean in that latitude. And in arranging this expedition, the eventualities of war were taken into consideration.

"The geographical examinations proposed to be made were in greater part in

Mexican territory. This was the situation: Texas was gone and California was breaking off by reason of distance; the now increasing American emigration was sure to seek its better climate. Oregon was still in dispute; nothing was settled except the fact of a disputed boundary; and the chances of a rupture with Great Britain lent also its contingencies.

"Mexico, at war with the United States, would inevitably favor English protection for California. English citizens were claiming payment for loans and indemnity for losses. Our relations with England were already clouded, and in the event of war with Mexico, if not anticipated by us, an English fleet would certainly take possession of the Bay of San Francisco."

The third expedition was organized upon the familiar ground at the mouth of the Kansas River. Of the preparations and personnel of the organization, Frémont, now a Brevet-Captain by President Tyler's appointment, says in his *Memoirs*:

" . . . For this expedition ampler means had been provided, and in view of uncertain conditions the force suitably increased. In addition to the usual outfit of arms I had procured about a dozen rifles, the best that could be found; with the object of setting them up as prizes for the best marksmen, to be shot for during the journey. Many of my old men joined me. And I had again Godey.

"The animals I had left on pasture were in fine condition; hardened by the previous journey and thoroughly rested, they were well fitted to endure a campaign. From the Delaware nation twelve men had been chosen to go with me. These were known to be good hunters and two of them were chiefs, Swanok and Sagundai. Mr. Preuss was not with me this time; but was now in assured employment and preferred in his comfortable home to rest from the hardships of the last journey. In his place Mr. Edward M. Kern, of Philadelphia, went with me as topographer. He was besides an accomplished artist; his skill in sketching from nature and in accurately drawing and coloring birds and plants made him a valuable accession to the expedition. Lieutenants Abert and Peck had been attached to my command, and also with me were Mr. James McDowell, a nephew of Mrs. Benton, and Mr. Theodore Talbot, whose health had been restored by the previous journey."

The organization traveled the Santa Fé Trail to its crossing of the Arkansas River, and thence followed the old trail of the fur traders up the northward bank of that river, arriving at Fort Bent on August 2d. No exceptional incidents had occurred during the march. The *Memoirs* of the Pathfinder now go on to say:

"This was our real point of departure. It was desirable to make a survey of the prairie region to the southward, embracing the Canadian and other rivers. I accordingly formed a detached party, in charge of which I placed Lieutenants Abert and Peck, Lieutenant Abert being in chief command. Including these officers, the command consisted of thirty-three men, and I had the good fortune to secure my friend Mr. Fitzpatrick for their guide. I had endeavored to obtain the services of an Indian who knew well the country, and was a man of great influence, especially among the Camanches, but no offer that I could make him would induce him to go. It happened that the Fort [Fort Bent] was well provisioned, and from its supplies we were able to furnish the party with a good outfit. . . .

"On the 12th Mr. Fitzpatrick took leave of me and joined the party. On the same day Lieutenant Abert changed his encampment preparatory to making his start, and on the 14th the two officers came to take leave of me. . . . The next day I sent Lieutenant Abert his instructions, which were to survey the Canadian from its source to its junction with the Arkansas, taking in his way the Purgatory River, and the heads of the Washita; and on the 16th he commenced his journey down the Arkansas [to the Purgatory]. With Lieutenant Abert also went Mr. James McDowell, who decided to avail himself of this survey to return for the reason that his work would not be carried into the winter, while my journey to the Pacific was expected to be of long duration.

"From the Fort I sent an express to Carson at a rancho, or stock farm, which

with his friend Richard Owens he had established on the Cimarron, a tributary to the Arkansas River. But he had promised that in the event I should need him, he would join me. And I knew that he would not fail to come. My messenger found him busy starting the congenial work of making up a stock ranch. There was no time to be lost, and he did not hesitate. He sold everything at a sacrifice, farm and cattle; and not only came himself but brought his friend Owens to join the party. This was like Carson, prompt, self-sacrificing, and true. I received them both with great satisfaction. That Owens was a good man it is enough to say that he and Carson were friends. Cool, brave, and of good judgment; a good hunter and good shot; experienced in mountain life; he was an acquisition, and proved valuable throughout the campaign. Godey had proved himself during the preceding journey, which had brought out his distinguishing qualities of resolute and aggressive courage. . . . I mention him here because the three men come fitly together, and because of the peculiar qualities which gave them in the highest degree efficiency for the service in which they were engaged. The three, under Napoleon, might have become Marshals, chosen as he chose men. Carson, of great courage, quick and complete perception, taking in at a glance the advantages as well as the chances for defeat; Godey, insensible to danger, of perfect coolness and stubborn resolution; Owens, equal in courage to the others, and in coolness equal to Godey. . . . Godey was a Creole Frenchman of Saint Louis, of medium height, with black eyes and silky curling black hair which was his pride. In all situations he had that care of his person which good looks encourage."

Frémont left Fort Bent on August 16th, proceeding up the northward side of the Arkansas River, upon the old trail, "with a well-appointed compact party of sixty; mostly experienced and self-reliant men, equal to any emergency likely to occur and willing to meet it". The route by which they were to cross the mountains was by way of the Arkansas to the Continental Divide, but their rate of travel to the summit was slow. The evening camp of the 20th was made at the mouth of the Fontaine. The caravan crossed the river at a point a few miles above the site of the city of Pueblo, and continued on the south side of the stream—upon Mexican territory—to the mouth of the Grand Cañon, where the river was recrossed, arriving there in the evening of August 26th. Frémont says that after resuming the march in the next morning, "we passed in our way over a bench of the mountain which the trappers believed to be the place where Pike was taken prisoner by the Mexicans. But this side of the river was within our territory. He supposed himself to be on the Arkansas [!] when he was taken prisoner on the Rio del Norte, where he had built a stockade". In all the reports of his explorations, this is Frémont's only reference to Captain Pike's operations in the Rocky Mountains.

Neither Frémont nor any of his men attempted to pass through the Royal Gorge, the entire caravan making a detour around it on the northward side. After fording Currant Creek, some ten or twelve miles above its confluence with the Arkansas, the party pursued a winding course through the narrow mountain-valleys, approaching at one point close to the route Frémont had followed out of the South Park in the year before, and struck the river on September 2d, in the vicinity of the site of our town of Buena Vista. Crossing to the Mexican side of the stream, the company moved up its valley, making more rapid progress than on previous stages of the march since leaving Fort Bent. "This was pleasant traveling. The weather now was delightful and the country beautiful. Fresh and green, aspen groves and pine woods and clear rushing water, cool streams sparkling over rocky beds." From the

head of the Arkansas, Frémont traversed the summit of the main range to the head of Eagle River, which he called "Piney Creek", on September 4th, probably by the pass which at present bears his name. Proceeding down the course of the Eagle into the neighborhood of our town of Minturn, he turned toward the Northwest, and crossed the Grand River several miles below the mouth of the present Egeria Creek. Thence his course was west by north to the head of the White River, down which he took his way into the country that now forms the State of Utah.

Continuing westward, through the Utah Basin, Frémont entered California early in December (1845). In the next year, he bore a conspicuous part in the series of swiftly-moving events by which that Mexican Province was attached to the territory of the United States.

At the close of our war with Mexico, Frémont, then a Lieutenant-Colonel in the United States Army, resigned his commission and returned to civil life. In the summer of 1848, he made preparations for his fourth expedition into the Far West, and which was a private enterprise, in the interests of the city of St. Louis, for the survey of a route for a railway to the Pacific Coast, he and Senator Benton bearing a large part of the expense. As brought together at Westport (now a part of Kansas City), in the fore part of October, of that year, Frémont's company numbered thirty-three men, most of whom had been with him in his previous expeditions. Again he had Charles Preuss, the Topographer; E. M. Kern, Artist (together with the latter's brother, R. H. Kern); and Alexander Godey, the hunter; but, unfortunately, Carson was not and was not to be with him. Instead of wagons for transporting baggage and supplies, a drove of pack-mules had been provided for that service.

Leaving Westport on October 19th, Frémont traversed the plains of Kansas by way of the Kansas River and its Smoky Hill fork, and from the headwaters of the latter he went southwest to the Arkansas, arriving at Fort Bent in the middle of November. His purpose was to take a more southerly route across the ranges than any he had pursued in his former explorations; and notwithstanding the warnings given him by frontiersmen and Indians then at the fort of the severe winter-conditions existing in the mountains even that early in the season, he pushed forward upon his mission.

With one hundred and twenty pack-mules in his train, he moved up the Arkansas to the Pueblo, where he found "Old Bill" Williams, a noted rover of the plains and the mountains, whom he engaged to serve as guide. Proceeding on up the river to the mouth of the Hard-scrabble, Frémont, turned southwest, crossed the Sangré de Cristo Range by way of Roubideau's Pass, and, at the beginning of December, entered the San Luis Valley. "About the 11th of December," says Frémont, "we found ourselves at the north of the Del Norte [Rio Grande] Cañon, where that river issues from the St. John's [San Juan] Mountains, one of the highest, most rugged and impracticable of all the Rocky Mountain ranges, inaccessible to trappers and hunters even in the summer time. Across the point of this elevated range our guide conducted us, and having still great confidence in his knowledge, we pressed onwards with fatal resolution." While the traveling had been

hard since they passed the foot-hills, their troubles now began in earnest. The dead of an unusually rigorous winter was at hand, the weather bitterly cold, and the snow almost waist-deep. Of the occurrences during the next ten or twelve days I quote the following from Frémont's narrative:

"We pressed up towards the summit, the snow deepening; and in four or five days reached the naked ridges which lie above the timbered country, and which form the dividing grounds between the waters of the Atlantic and Pacific oceans. Along these naked ridges it storms nearly all winter, and the winds sweep across them with remorseless fury. On our first attempt to cross we encountered a *pouderié* (dry snow driven thick through the air by violent wind, and in which objects are visible only at a short distance), and were driven back, having some ten or twelve men variously frozen, face, hands or feet. The guide became nigh frozen to death here, and dead mules were already lying about the fires. Meantime, it snowed steadily. The next day we made mauls, and beating a road or trench through the snow crossed the crest in defiance of the *pouderié*, and encamped immediately below in the edge of the timber. The trail showed as if a defeated party had passed by; pack-saddles and packs, scattered articles of clothing, and dead mules strewn along. A continuance of stormy weather paralyzed all movement. We were encamped somewhere about 12,000 feet above the sea. Westward, the country was buried in deep snow. It was impossible to advance, and to turn back was equally impracticable. We were overtaken by sudden and inevitable ruin. It so happened that the only places where any grass could be had were the extreme summit of the ridges, where the sweeping winds kept the rocky ground bare and the snow could not lie. Below these, animals could not get about, the snow being deep enough to bury them. Here, therefore, in the full violence of the storms we were obliged to keep our animals. They could not be moved either way. It was instantly apparent that we should lose every animal.

"I determined to recross the mountain more towards the open country, and haul or pack the baggage (by men) down to the Del Norte. With great labor the baggage was transported across the crest to the head springs of a little stream leading to the main river. A few days were sufficient to destroy our fine band of mules. They generally kept huddled together, and as they froze, one would be seen to tumble down and the snow would cover him; sometimes they would break off and rush down towards the timber until they were stopped by the deep snow, where they were soon hidden by the *pouderié*. The courage of the men failed fast; in fact, I have never seen men so soon discouraged by misfortune as we were on this occasion. . . . In this situation, I determined to send in a party to the Spanish settlements of New Mexico for provisions, and mules to transport our baggage to Taos. With economy, and after we should leave the mules, we had not two weeks' provisions in the camp. These consisted of a store which I had preserved for a hard day, macaroni and bacon. From among the volunteers I chose King, Braekenridge, Creutzfeldt [the botanist of the expedition], and the guide Williams; the party under the command of King. In case of the least delay at the settlements, he was to send me an express. In the meantime, we were to occupy ourselves in removing the baggage and equipage down to the Del Norte, which we reached with our baggage in a few days after their departure (which was the day after Christmas)."

After waiting sixteen days without any tidings from King and his party, the snow having continued to fall in the meantime almost without cessation, and one of his men having frozen to death, Frémont resolved to go in search of them. Leaving instructions to those who were to remain at the camp that if they did not hear from him within the stated time they were to follow down the river, the leader, accompanied by Godey, Preuss, and a man from the ranks named Saunders, with a scant supply of food, set out afoot upon the desperate errand, intending in the event of failure to meet King to press on to the nearest Mexican settlement and there send back relief for those left behind. On the sixth day afterward, Frémont fell in with a small band of friendly Indians

from whom he obtained four feeble horses and a guide, and in the evening of that day discovered Creutzfeldt, Brackenridge, and Williams huddled by a little camp-fire awaiting death from starvation—"the most miserable objects I have ever seen". King had died from exhaustion a few days before. The four men, having lost their way soon after starting upon their journey, had wandered over the San Luis Valley in fruitless attempts to find a course to the settlements. Nearly a week had elapsed since the last fragments of their provisions had been consumed.

With the emaciated men upon horses, Frémont and his companions moved on southward, and reached an outlying Mexican settlement on January 20th, "the tenth evening after leaving our camp in the mountains, having travelled through snow and on foot one hundred and sixty miles". In the next morning, Frémont and Godey hastened to Taos on horseback. Two days later, Godey and several Mexicans were upon their way with horses and provisions to bring in the other members of the ill-starred expedition. These, numbering twenty-two in all when Frémont left them, after remaining at the camp a week longer, had started down the river, almost destitute of food. On the third day of the march, three or four men having died, the band broke up into small groups, which soon became scattered. Some members of these, in the extremity of their sufferings from hunger, resorted to cannibalism. With supplies obtained from Godey, the survivors were enabled to straggle into the Mexican settlements, but when all were mustered, eleven men of the company that had entered the San Juan Mountains were known to be dead.

Frémont attempted to make Bill Williams the scapegoat for the disaster. "The error of our journey", says he, "was committed in engaging this man. He proved never to have in the least known, or entirely to have forgotten, the whole region of country through which we were to pass." But Williams asserted that at the time of his engagement he, like many others, had advised Frémont not to attempt to cross the mountains in that exceptionally severe season; and, doubtless with truth, that after the party had reached the base of the San Juan Range his judgment and counsel against proceeding farther were set aside by the expedition's leader.

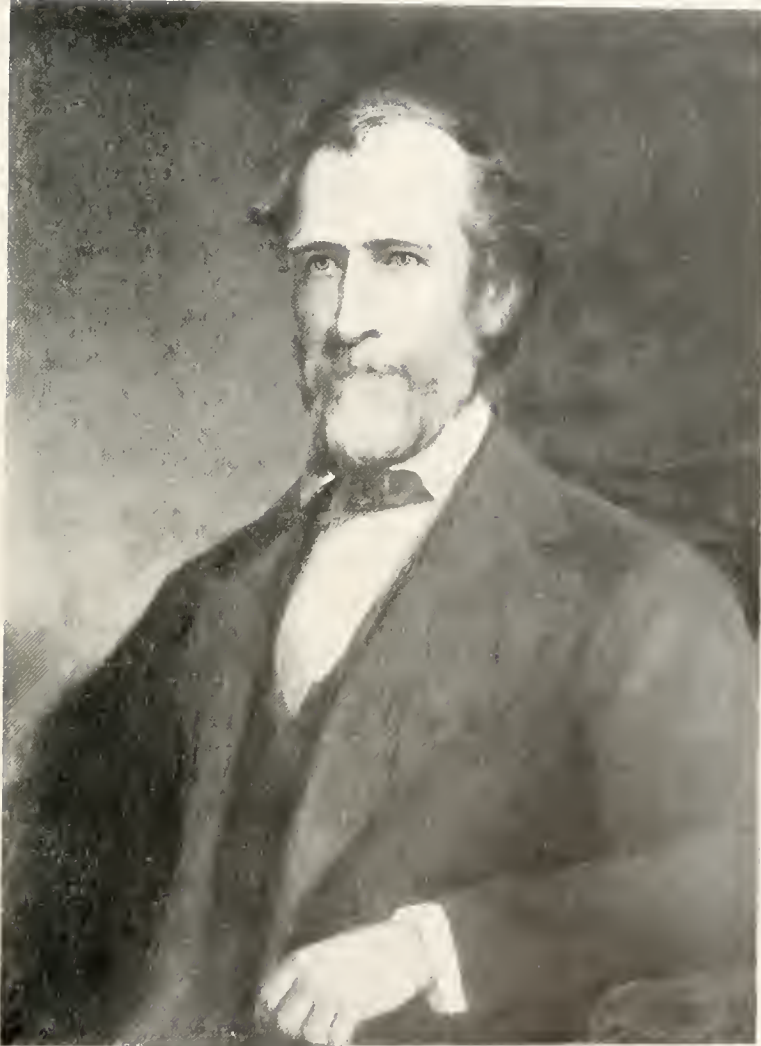
At Taos, Frémont became the guest of his friend, Kit Carson, whose home was in that town. He was still determined to go on to California, and in the middle of February, with a new outfit of horses and supplies, and a company numbering thirty men, he set out from Santa Fé, his course being down the Rio Grande Valley and thence westward through the southern border of New Mexico and Arizona. He reached the coast in April (1849), and in the following December was elected United States Senator from the proposed new State of California, which was admitted into the Union in September, 1850. During his brief term in the Senate Frémont served with ability and distinction.

In an act approved March 3, 1853, making appropriations for the support of the army, Congress authorized the Secretary of War, under the direction of the President, "to employ such portion of the corps of topographical engineers, and such other persons as he may deem necessary, to make such explorations and surveys as he may deem advisable, to ascertain the most practicable and economic route for a railroad from the Mis-

issippi river to the Pacific ocean", the sum of \$150,000 being appropriated to defray the expense. Of the several lines which Jefferson Davis, then Secretary of War, decided to have explored and surveyed, one, which he termed the "Central Route", lay along the course of the 38th parallel of latitude. The friends of Frémont, who was now in private life and living in Paris, France, expected that he would be reappointed to the Corps of Topographical Engineers and placed in command of one of the explorations; preferably that of the central line, in order that the enterprise might have the benefit of his knowledge of that part of the western country. But Mr. Davis, declining to consider the Pathfinder for any of the appointments, put Captain John W. Gunnison (a Vermonter), of the Topographical Engineers, at the head of the expedition to examine the central route, and which was to terminate its westward survey in the middle part of the Utah Basin. Gunnison was directed "to explore and survey the pass through the Rocky Mountains in the vicinity of the headwaters of the Rio del Norte, by way of the Huerfano river and Coo-che-to-pa, or some other eligible pass, into the region of Grand and Green rivers, and westwardly to the Végas de Santa Clara and Nicollet river of the Great Basin, and thence northwardly to the vicinity of Lake Utah on a return route, to explore the most available passes and cañones of the Wasatch range and South Pass to Fort Laramie".

The party, as finally organized at Westport, in June of that year, consisted of Captain Gunnison, commander; First Lieutenant E. G. Beckwith, of the Third Regiment of Artillery, Assistant; R. H. Kern, Topographer and Artist; Sheppard Homans, Astronomer; Dr. James Schiel, Surgeon, Geologist, "&c."; F. Crenzfeldt, Botanist; J. A. Snyder, Assistant Topographer, "&c."; Second Lieutenant (Brevet-Captain) R. M. Morris and "some thirty non-commissioned officers and men of the regiment of mounted riflemen"; Charles Taplin, Wagonmaster; "besides the necessary teamsters and employés for the performance of the labors of the route". In consequence of the death of Captain Gunnison, in the following October, the report of the expedition was written by Lieutenant Beckwith, who incorporated into it the material of Gunnison's notes.

The advance began on June 23d, and, without delay or important incident, the party arrived at Fort Atkinson, a United States military post on the Arkansas River, near the line of the 100th meridian, on July 16th. After a halt of three days at that fort, the surveyors moved on up the northward bank of the Arkansas and, according to Beckwith's map, entered the eastern border of Colorado on the 24th. On the second day after, "we reached what is called the Big Timber, a section of the river of about twenty-five miles in length, on the islands and banks of which more than the usual amount of cotton-wood grows. It deserved the name, however, only when compared with this river as I have described it a few days back. The trees are scattered over the bottom, in numbers not unlike those of the new cotton-fields of Georgia and Alabama, with inviting shades; but they are not thick enough to obstruct the view, and the opposite bank of the river discovers the same dry hills as before". On the 27th, "we passed two or three log-houses, occupied as a trading-station by Mr. William Bent, during the past winter, but now left vacant, and, as yet, undestroyed by the Indians. . . . Thirteen miles brought us to the termination of the Big Timber".



GOVERNOR ALEXANDER CUMMINGS

In the evening of the 28th, the party encamped near the ruins of the historic Fort Bent. "Its adobe walls still stand", says Beckwith, "with here and there a tower and chimney." Two days later, camp was made opposite the mouth of the Apishapa, which all hands supposed to be the Huerfano, on which the more difficult part of the survey was to begin. As the Arkansas here was "300 yards wide, varying in depth from one to three feet", there was some trouble and delay in transferring the outfit to the south bank of the river, the heavier wagons having to be ferried upon rafts of logs. Leaving the Arkansas on August 2d, the caravan moved up the westward side of the Apishapa, and continued upon that course until the evening of August 5th, when the officers discovered that they were not on the Huerfano. So, in the next morning, "after travelling two miles in the direction of the Spanish Peaks, we bore to the right and struck a wagon trail leading from the Raton Pass to the Pueblo on the Arkansas, and Fort Laramie on the Platte. This we followed to the Cuchara, which is forty feet wide and two feet deep at the ford which we crossed, and encamped two miles above the ford". Beckwith, accompanied by five men, now went to the small settlement of Mexicans on the Greenhorn River to obtain a guide to lead the way through the Sangré de Cristo Pass to Fort Massachusetts; and upon his return the party "crossed over to the Huerfano". "We can say", remarks Beckwith, "that no obstruction of any magnitude exists, thus far, to the successful construction of a railroad." After two days' travel up the Huerfano, the explorers turned southwest, crossed the summit of the Sangré de Cristo Pass on August 13th, and encamped near Fort Massachusetts in the evening of the 19th.

The next three days were spent in local examinations of the Sangré de Cristo Range in search of the most practicable pass in that vicinity for a railway, and in refitting for the continuation of the exploration. Resuming the march on August 23d, the company moved up the western base of the Sangré de Cristo until the 26th, "with the broad valley of San Luis on our left", and then headed westward in the direction of the Coochetopa Pass, the summit of which was reached about noon of September 2d. Under date of August 27th, Lieutenant Beckwith says that "the promising opening in the Sierra San Juan, to the southwest, which allured Colonel Frémont to the disaster of 1848-49, attracts its full share of attention and comment, some of the gentlemen of our party [Kern, Crentzfeldt, Taplin, and several of the employees] having participated in that misfortune"; and under date of the 30th, when at the "gateway to Coochetopa Pass", remarks that "we here leave the immense valley of San Luis, which is one of the finest in New Mexico, although it contains a large proportion of worthless land—worthless because destitute of water to such an extent that irrigation alone can produce a crop". It was his conclusion that if the Coochetopa Pass "be deemed desirable for a railroad, it will be necessary to pass the summit with a grade of 124 feet to the mile, which will require a tunnel, including a deep approach from the west of not less than two miles in length".

In descending the westward slope of the pass, the party "proceeded down the valley of Pass Creek, the hills on each side being cut by small rills, deep back towards their summits, which will render a winding route and much cutting and filling necessary in constructing a railroad, for which the southern side of the creek is the most favorable". Captain Gun-

nison noted that "the disposition of the mountains indicates that a line can be carried from the Coochetopa Pass southwesterly for some distance", and that by descending a valley in that direction "securing a better grade than by following Pass Creek". The march in the forenoon of September 5th, "brought us to the Coochetopa creek, a fine rapid little stream of twenty feet in width". Moving down the Coochetopa, the party encamped in the evening of the 6th at its confluence with the Gunnison River, which Beckwith calls "Grand River", "a fine clear stream of cold water, one hundred feet wide and three feet deep, flowing rapidly over a paving stone bed". Of the physical conditions encountered on the Gunnison during the next day's march, which was down its course, Beckwith says:

"On each side of the river to-day, and, as we can see, for some days ahead, the banks rise rapidly towards the precipitous sides of the mesas, which extend back from fifteen to twenty miles from the mountains. . . . While the current of the river is rapid, and the descent very considerable, these tables seem to preserve the same absolute level, and consequently become more elevated above the river as it descends. They are judged to be, to-day, 1,200 feet above it, and not less than 1,500 twenty miles west of us. . . . Captain Gunnison rode into the cañones several times during the day. He says of the first, 'that it would require blasting one-third of the distance for the construction of a railroad, and solid masonry, with many arches for culverts on the whole line—a stupendous work for an engineer.'"

The party did not attempt further to descend the Gunnison, but on September 8th left that river at a point near the mouth of its left-hand affluent, Beaver Creek, and moved southwesterly toward the Uncompahgre Valley. While on this detour, which occupied the time of a week, the explorers had much difficulty in crossing the troughs of Cebollo Creek, the Lake Fork, the two Blues, and Cimarron Creek. From the latter their course bore northwesterly, and on the 15th the caravan struck the Uncompahgre River a short distance below the mouth of Cedar Creek, and at or in the near neighborhood of the site of our town of Montrose. On the third day before, "a few Tah-bah-was-chi Utahs exhibited themselves on their war steeds, near enough to call out to us. We advanced to meet them, and a crowd of men, women and children soon gathered at our camp". In the next morning, Captain Gunnison "made presents to the Indians: first providing the chief with the articles which he was to distribute to his people, and then a package for himself. They were very importunate for powder and lead, everything else appearing of little value to them. We were anxious to purchase horses, but they would sell them only for arms and ammunition".

Descending the valley of the Uncompahgre, the explorers encamped in the evening of September 18th not far below the union of that stream with the Gunnison River. Of some incidents of the march to that point, Lieutenant Beckwith says:

"We met several small parties of Indians during the day [the 16th], all of whom followed us to camp; and others continued to arrive until a late hour at night, filling the air as they approached with yells and calls, which were answered by their friends in or near camp—consisting of inquiries and directions as to how and where they were to pass—until we were heartily tired of them. The most of them were sent out of camp, but they built their fires only a few yards from ours, and their noise was little abated by the change, and our safety but little increased. They had, much to his regret, recognized our guide; but he neither showed fear nor want of confidence in them, although he had once shot one of their chiefs, who was attempting

to rob him of his horse; and he shared his fire, pipe and blankets with the chiefs, who remained all night with him.

"Si-ree-chi-wap, the principal chief of the band, who is now so old that he exercises but little authority directly—intrusting it to his son, who accompanies him—arrived during the night, and, followed by his sub-chiefs, this morning [the 17th] repaired to Captain Gunnison's tent to talk and smoke. The Captain informed them that 'the President had sent him to look for a good road by which his people, who live toward the rising sun, can visit those who live upon the great water where it sets; that he was their friend, and had authorized him to make them a few presents in his name'. The son of Si-ree-chi-wap replied: 'This is your land, and you can go over it at any time. There are bad Indians over the mountains, who kill white men, but the Utahs are good, and glad to see the Americans.' Presents were then distributed, pipes smoked, and the party moved on, accompanied for several miles by the chiefs. We crossed the point of land lying between the Uncompahgra and Grand [Gunnison] river, reaching the latter at Roubideau's old trading fort, now entirely fallen to ruins."

Beckwith, again referring to the Gunnison Cañon, "which we have been so many days passing around", and to the difficulties it presented to the railway builder, goes on to say:

"The difference of elevation between the head of the cañon and our camp [that of the 18th], a few miles below its termination, on the Uncompahgra, separated from Grand [Gunnison] river by a level bottom only, is 2,077 feet; and as the distance between these points by the river does not exceed seventy miles—of which, perhaps, sixty preserves its cañon character—the average descent will vary but slightly from thirty feet to the mile. But from the continuance, for so great a distance, of vertical rocky walls along the river, upon which the road must be carried, and which can be cut only by blasting, and, from the deep side-chasms to be passed, as described by Captain Gunnison on the 7th instant, only by the heaviest masonry, it is evident that a railroad, although possible, can only be constructed in the vicinity of this section of Grand [Gunnison] river at an enormous expense—for the accurate estimate of which, situated as the work is at so great a distance from civilization, where not only laborers, but their subsistence, must be transported by land carriage nearly 1,000 miles, and where scarcely a stick of timber has been seen for the last 100 miles on the route, nor will be for the succeeding 150 miles, suitable for a string-piece for a small temporary bridge, or even a railroad tie, it is not too much to say, no data exists, nor will until such a labor shall be undertaken."

The expedition passed down the Gunnison to its confluence with the Grand River, camping over night on the site of our city of Grand Junction, and continued down the Grand into the territory of the present State of Utah. Thence the trend of the winding course taken by the explorers was westward, across the Wasatch Mountains, to the Sevier River, which discharges into Lake Sevier. It was on this stream, at a point about twenty miles above its mouth, that Captain Gunnison and several others of the party were killed by Pah Ute Indians early in the morning of October 26th (1853).

In the forenoon of the 25th, Captain Gunnison, Topographer Kern, Botanist Creutzfeldt, William Potter (a Mormon guide), John Bellows (a civilian employee), escorted by seven of the soldiers, left the expedition's camp to explore the vicinity of Lake Sevier; and encamped in the evening of that day after having marched about eleven miles. Here, at daybreak in the next morning, the detachment was surprised and attacked by a large band of Pah Utes. Four of the soldiers, who succeeded in reaching their horses, escaped; but Gunnison, Kern, Creutzfeldt, Potter, Bellows, and Privates Caulfield, Liptoote, and Mehrteens were killed. Gunnison's body

was pierced by fifteen arrows, while death came to the others by rifle balls, arrows, or the hatchet. The dead were buried where they had fallen.

The broken company now proceeded to Salt Lake City, and remained there during the following winter. Having reorganized the expedition, Lieutenant Beekwith resumed the survey in the spring of 1854; but in these operations he did not again enter the bounds of Colorado.

At the time of Captain Gunnison's death, Frémont's fifth (and last) exploration of the Rocky Mountains and the country beyond them was afoot upon the plains of Kansas. Nettled by his exclusion from participation in the War Department's surveys "to ascertain the most practicable and economic route for a railroad from the Mississippi river to the Pacific ocean", the Pathfinder, having determined to engage in the work independently, had hastened home from Paris late in the spring of that year. It was his purpose to continue his examination of the country in the vicinity of the 38th parallel, from the upper part of our San Luis Valley to the coast, by way of the Utah Basin: and thus to complete the survey that had been stopped by his disaster in the winter of 1848-49. The expense of the new enterprise was defrayed by himself and Senator Benton.

As in 1848, Frémont organized the expedition at Westport. Among the members of the party were F. W. Egloffstein, Topographer; S. N. Carvalho, Artist; Oliver Fuller, Astronomer; and ten Delaware Indians, including the chieftains Solomon and Captain Wolf. Leaving Westport in the middle of September, the route taken through Kansas was by the course of the Kansas River to the mouth of the Solomon, thence southwest to the Arkansas and on up the latter.

After striking the Arkansas, Frémont followed Captain Gunnison's general course over the mountains and into the Utah Basin, and for a large part in Gunnison's tracks. Reaching the mouth of the Huerfano at the beginning of December, the party moved up the valley of that stream and crossed the Sangré de Cristo Range into the San Luis Valley by the Sandhill Pass. Of the railway prospects from that pass, Frémont says:

"Our examinations around the southern headwaters of the Arkansas, have made us acquainted with many passes, grouped together in a small space of country, conducting by short and practicable valleys from the waters of the Arkansas just described, to the valleys of the Del Norte [the Rio Grande] and East Colorado [the present Grand River, of the western slope]. The Sierra Blanca [the Sangré de Cristo], through which these passes lie, is high and rugged, presenting a very broken appearance, but rises abruptly from the open country on either side, narrowed at the points through which the passes are cut, leaving them only six or eight miles in length from valley to valley, and entirely unobstructed by outlying ranges or broken country. To the best of these passes the ascent is along the open valley of water-courses, uniform and very gradual in ascent. Standing immediately at the mouth of the Sandhill Pass—one of the most practicable in the Sierra Blanca, and above those usually travelled—at one of the remotest headsprings of the Huerfano River, the eye of the traveller follows down without obstruction or abrupt descent along the gradual slope of the valley to the great plains which reach the Missouri. The straight river and the open valley form, with the plains beyond, one great slope, without a hill to break the line of sight or obstruct the course of the road. On either side of this line hills slope easily to the river, with lines of timber and yellow autumnal grass, and the water, which flows smoothly between, is not interrupted by a fall in its course to the ocean. The surrounding country is wooded with pines and covered with luxuriant grasses, up to the very crags of the central summits. On the 8th of

December we found this whole country free from snow, and Daguerre views taken at this time show the grass entirely uncovered in the passes."

From the western end of Sandhill Pass, through the Coochetopa Pass and on down to the Gunnison River, Frémont pursued the course which had been taken by Captain Gunnison. Concerning the conditions in and near the Coochetopa, the Pathfinder tells the following:

"Across those wooded heights—wooded and grass-covered up to and over their rounded summits—to the Coocha-to-pe pass, the line followed an open and easy wagon-way, such as is usual to a rolling country. On the high summit lands were forests of coniferous trees, and the snow in the pass was four inches deep. This was on the 14th of December. A day earlier our horses' feet would not have touched snow in the crossing. Up to this point we had enjoyed clear and dry pleasant weather. Our journey had been all along on dry ground; and travelling slowly along waiting for the winter, there had been abundant leisure for becoming acquainted with the country. The open character of the country, joined to good information, indicated the existence of other passes about the head of the Sa-watch. This it was desirable to verify, and especially to examine a neighboring and lower pass connecting more directly with the Arkansas valley, known as the Poow-che [the present Punga Pass, at the head of Punga Creek, south of our town of Salida].

"But the winter had now set in over all the mountain regions, and the country was so constantly enveloped and hidden in clouds which rested upon it, and the air so darkened by falling snow, that exploring became difficult and dangerous, precisely where we felt most interested in making a thorough examination. We were moving in fogs and clouds, through a region wholly unknown to us, and without guides, and were therefore obliged to content ourselves with the examination of a single line, and the ascertainment of the winter condition of the country over which it passed; which was in fact the main object of our expedition."

During the march across the western slope of Colorado, the party encountered rather severe winter-conditions. "The greatest depth of snow was, among the pines and aspens, about two and a half feet, and in the valleys about six inches". But the air "was too dry and cold for much snow, and the valleys, protected by the mountains, are comparatively free from it, and warm". After reaching the Gunnison, Frémont followed its course to its union with the Grand River, and thence by way of the latter passed beyond the western boundary of Colorado. By this time, the stock of provisions had run low; and while upon the march to and across the Wasatch Range the men were driven to the necessity of killing their horses and pack-mules for food. Every member of the party suffered extreme hardships, to which Oliver Fuller succumbed on February 7th, when "almost in sight of succor", as the expedition arrived at the Mormon settlement of Paravan on the next day.

Having recuperated and refitted at Paravan, the company started for California on February 20th, taking a southwesterly course, and crossed the Sierra Nevada into the southern section of the San Joaquin Valley late in March. A few weeks afterward, Frémont set out upon his return to the East, going by the Panama route, and was again in Washington City in June, when he published a preliminary report of the results of the expedition. From this account I quote the following:

"The above results embody general impressions made upon my mind during this journey. It is clearly established, that the winter condition of the country constitutes no impediment, and from what has been said, the entire practicability of the line will be as clearly inferred. A fuller account hereafter will comprehend detailed descriptions of the country, with their absolute and relative elevations, and show

the ground upon which the conclusions were based. They are contributed at this time as an element to aid the public in forming an opinion on the subject of the projected railway, and in gratification of my great desire to do something for its advancement. It seems a treason against mankind and the spirit of progress which marks the age, to refuse to put this one completing link to our national prosperity and the civilization of the world. Europe still lies between Asia and America: build this railroad and things will have revolved about: America will lie between Asia and Europe—the golden vein which runs through the history of the world will follow the iron track to San Francisco, and the Asiatic trade will finally fall into its last and permanent road, when the new and the modern Chryse throw open their gates to the thoroughfare of the world.”

Frémont's fifth expedition was the last that explored the Far West for such purposes as his and Captain Gunnison's were made. Wagon-roads to the Pacific Coast had been well established before 1850 by a process of “natural selection”: and the surveys authorized by Congress in the appropriation act of March, 1853, demonstrated that either of several routes would afford a practicable line for a railway from the Mississippi River to the Western Ocean.

CHAPTER VII.

EARLY MILITARY EXPEDITIONS INTO THE COLORADO COUNTRY.—COLONEL HENRY DODGE'S MARCH TO THE ROCKY MOUNTAINS, IN 1835.—ITS PURPOSES.—ORGANIZATION AND STRENGTH OF HIS COMMAND.—ROUTE TAKEN BY THE EXPEDITION.—COUNCILS WITH THE OTOE AND OMAHA INDIANS.—ARRIVAL AT THE TOWN OF THE GRAND PAWNEES.—CONFERENCE WITH CHIEFTAINS OF THAT TRIBE.—RESUMPTION OF THE MARCH UP THE PLATTE.—MEETING WITH THE ARICKAREES.—CHARACTER OF THAT TRIBE.—COUNCIL WITH ITS CHIEFTAINS.—THEIR PENITENCE AND PROMISES.—ENTRANCE INTO AND COURSE THROUGH THE LAND OF COLORADO.—PART OF COLONEL DODGE'S REPORT.—FEATURES OF THE MAP ACCOMPANYING THE REPORTS.—THE SOUTH PLATTE COUNTRY IN COLORADO.—ARRIVAL AT THE MOUTH OF PLATTE CAÑON.—MARCH TO THE FONTAINE QUI BOUILLE.—AT PIKE'S PEAK.—MOVEMENT TO FORT BENT.—EXTRACTS FROM LIEUTENANT KINGSBURY'S JOURNAL.—INDIAN TRIBES ON THE ARKANSAS.—COUNCIL WITH THEM AT FORT BENT.—UPON THE HOMEWARD WAY.—COUNCIL WITH CHEYENNES AT THE "BIG TIMBER."—MARCH TO FORT LEAVENWORTH.—GENERAL GAINES' COMMENDATIONS.—COLONEL DODGE'S CAREER.—COLONEL STEPHEN W. KEARNY'S "SUMMER CAMPAIGN TO THE ROCKY MOUNTAINS," IN 1845.—HIS ROUTE INTO THE WEST AND THROUGH THE COLORADO COUNTRY.—HIS REPORT OF THE EXPEDITION.—EXTRACTS FROM ADJUTANT TURNER'S JOURNAL.—THE "ARMY OF THE WEST" ON THE UPPER ARKANSAS.—COLONEL WILLIAM GILPIN'S CAMPAIGN AGAINST HOSTILE INDIANS, IN 1847-48.—HIS WINTER CAMP NEAR THE SITE OF PUEBLO.—EFFECTIVE RESULTS OF HIS OPERATIONS.—CAPTAIN R. B. MARCY'S MARCH THROUGH THE COLORADO MOUNTAINS, IN THE WINTER OF 1857-58.—EXTREME HARDSHIPS AND SUFFERINGS OF HIS COMMAND.—HIS EXPERIENCE WITH A "BLIZZARD" AT THE HEAD OF CHERRY CREEK, IN THE SPRING OF 1858.

During the second quarter of the nineteenth century, several military expeditions by troops of the United States Army were made into the country of the Great Plains for the purpose of stimulating friendly relations with and between its Indian tribes; and, when necessary, to menace or admonish those who were manifesting a disposition to become troublesome. Of these militant excursions, two marched through the eastern half of the territory of our State before the war with Mexico; the earliest being that of Colonel Henry Dodge, of the First Regiment of United States Dragoons, in the year 1835, the troops that were engaged in it forming the first considerable body of American soldiers to go to the Rocky Mountains.

The campaign was made in compliance with the War Department's "general order No. 12, of the 9th March, directing the movements of the dragoons for the ensuing summer," the organization and strength of the command having been, as stated in the report of Colonel Dodge's Acting Adjutant, as follows:

"Company 'G', 37 men, commanded by Captain Ford.

"Company 'C', 40 men, commanded by Captain Duncan.

"Company 'A', 40 men, commanded by Lieutenant Lupton.

"Lieutenant Wheelock doing duty in company 'C'; Lieutenant Steen, ordnance officer, in command of two swivels. Lieutenant Terrett, assistant commis-

sary of subsistence, &c. Lieutenant Kingsbury, acting adjutant, and Dr. Fellows, assistant surgeon. Major Dougherty, Indian Agent, was to accompany the command as far as the Pawnee village; and Captain Gantt, Indian trader, who was well acquainted with the country over which we were to march, accompanied the detachment in the capacity of guide.

"The companies were directed to take 60 days' rations of flour, and 10 days' rations of pork; and the assistant commissary of subsistence to take 25 beeves and two wagon loads of flour."

Lieutenant Kingsbury (Gaines P., who died four years later) also served as the journalist of the expedition. A week after the command started upon the march, "Lieutenant Wheelock was permitted to return to Fort Leavenworth, upon tendering his resignation". Several Delaware Indians were attached to the organization to serve as hunters, as it was the intention that the troops should depend on the buffalos for a large part of their meat-supply.

Of the reasons for taking the two pieces of diminutive artillery, Colonel Dodge, in his report, says that "believing that I would meet with large war parties of Indians, on my march to the west, I thought it advisable that two swivels (three-pounders) should accompany the expedition, mounted on wheels. I believed these light field-pieces would secure my camp should the Indians make a sudden attack on the command, and enable me to force my passage across rivers or difficult passes, should any attempt be made to stop me." However, no occasion arose for use of the three-pounders. The Colonel also goes on further to say:

"Believing the general-in-chief had permitted me to exercise my discretion as to the extent of the detour I should make to the left on arriving at the Platte or Shallow river, I determined to march up to its forks, and afterwards continue up the south fork to the Rocky mountains, then make a detour to the left, near the mountains, until I arrived at the Arkansas river, the boundary line of the United States, a short distance from where the Arkansas leaves the Rocky mountains, and thence down that river to where the road leading to Santa Fe crosses that river from the State of Missouri to the Mexican States, and pursue that road to the settlements."

Leaving Fort Leavenworth on May 29th, the expedition moved north by west to a large village of the Otoe Indians, on the south bank of the Platte, at a place about forty miles (by the river's course) above the mouth of that stream, and arriving there on June 10th. On the next day, Colonel Dodge held a grand council with the Otoes, the principal chief of whom was Jutan, "a bold and successful warrior, and is considered one of the most intelligent Indians on the frontiers, about fifty years of age, tall, well made, with a fine and intelligent cast of countenance". The Colonel addressed the assemblage at length, telling the warriors of the deep interest taken in their welfare by their Great Father at Washington; urging them to make and keep peace with all the other tribes; to raise corn and cattle for the support of their families, and so forth. In his responsive speech, Jutan said that he had listened well to his honored guest's advice; that his people were making preparations to raise large quantities of corn; and that next year they intended to have a big field and to raise cattle and horses. A generous and assorted number of presents then were distributed by Major Dougherty.

Colonel Dodge now despatched messengers to the villages of the

Omahas, which were situated to the northeast of the Otoes, in the district between the Platte and Missouri rivers, with an invitation to that tribe to send him a deputation for a council, the command in the meantime remaining at the Otoe village. In the morning of June 17th, about fifty of the Omaha warriors, under the leadership of their head chief, Big Elk, arrived at the American encampment. In the council, which was held immediately, the Colonel spoke to them in the same strain in which he had addressed the Otoes, and to which Big Elk made an intelligent and striking response. Lieutenant Kingsbury says in his journal that this chieftain "is remarkable for his sound practical sense: he appears to be in advance of most Indians in his knowledge of the relative situation of the white and red men, and the necessity of learning some of the arts of civilization; he is about sixty years of age, and has sixteen wives and many children."

After this council adjourned, farewells were exchanged between the red men and the white and the expedition moved on up the south side of the Platte to the town of the Grand Pawnees, which stood a few miles below the foot of Grand Island, where camp was made in the afternoon of July 21st. The Pawnee tribe was divided into several communities living in villages separated by a day's journey for an Indian runner, each having a chieftain of rank equal to that of the head men of the other villages. "They were," says Kingsbury, "in rather a turbulent state: the Pawnee Loups had been stealing the horses of the Pawnee Peets, which had produced some difficulty between them and the Pawnee Peets." The journalist also says that

"the principal chief of the Grand Pawnees, whose name is 'the Angry-man,' met us about ten or fifteen miles from his village, and appeared rejoiced at our arrival; he appeared to be a shrewd, intelligent old fellow, and very talkative for an Indian. He had a long talk with Colonel Dodge; he told him that the Pawnee Loups had been stealing horses from the Pawnee Peets, and were otherwise rather troublesome and disposed to war; he endeavored to prepossess the Colonel in his favor, by telling him how well he had conducted himself, while his neighbors had behaved very badly; in explaining the relations he stood in to the neighboring tribes, he appeared to possess all the ingenuity of a modern politician."

The coming of the Americans had thrown the Pawnees into a state of suspicion and uneasiness, doubtless from apprehension that this strong force had been sent to have a stern and merited accounting with them for the line of conduct that had made them unpopular among all the neighboring tribes, and with the fur-gathering white people as well. However, the Grand Pawnees gave the Americans a ceremonious reception with a great show of welcome.

"The Angry-man then invited Colonel Dodge to his lodge to a feast, which invitation he deemed it advisable to accept, as they had evinced some signs of distrust at our arrival, and he wished to put them perfectly at their ease. The old chief conducted us to his lodge, seated us around the fire, conforming strictly to the rules of etiquette by giving Colonel Dodge the highest seat; he then set before us a large bowl of boiled corn, which we found to be very good."

Colonel Dodge now informed Angry-man that he desired to hold a joint council with representatives of the several Pawnee communities, and also that his mission was not for making war upon any Indian tribe. The Grand Pawnee chieftain immediately sent runners to the other clans to

notify their leading men of the presence of the Americans at his town and of the desires and purposes of the expedition's commander.

Deputations came at once from each of the outlying villages, and among the delegates were the chiefs, the Axe, Blue Coat, Little Chief, and Mole-in-the-Face. The council was held in the afternoon of June 23d, in the lodge of Angry-man. After Colonel Dodge had stated the objects of his expedition, dwelling upon their beneficent nature, and further had talked as he had spoken to the Otoes and Omahas, though bearing a little heavy upon certain Pawnee characteristics, each of the chiefs, excepting Blue Coat, made responsive speeches that were well larded with thanks for the good advice the American commander had given, with expressions of good will toward all men and especially of their exalted regard for the Colonel. But in closing his remarks, Angry-man, the first of the chiefs to speak, demanded that the Axe "explain why his people go to war, while the others remain at home. It is for him to say why his war parties follow our peace parties. I go because I am advised to do so by the whites. I hope my son-in-law, the Axe, will explain all these matters." In reply the Axe dodged the main question, but admitted the horse-stealing. "It is true, my father" (Colonel Dodge), said he, "what my brother-in-law has said. You see me and know me. You know that this stealing is done without my consent; that I am as ignorant of the causes as if I were under the ground. . . . It is true, my brother-in-law, that my young men have disregarded my counsel. They have thrown me up to be scattered by the winds of heaven. It is true, my brother-in-law, we have injured you in this way. But do you believe there is a chief in our village who advised the young men to slip off and steal horses from the Pawnee Peets? . . . let me give you one piece of advice: do not listen so much to bad men, and pay more attention to the advice of the good." Angry-man retorted by saying that "that is what I wanted to hear when I spoke before, and I have heard it. There has been a great deal of this work [horse stealing] going on for the last year, but I have said nothing, and waited for a time like this to mention it." Little Chief claimed that he and his clan were not mixed up in the trouble. "Yes, my father," said he to the Colonel, "I am proud of my young men, and I feel proud of my conduct. . . . I am between the people you see backbiting each other, but have nothing to do with it. If it comes into my lodge, I kick it out again, and have nothing more to do with it than if I were dead. The Loups cannot say anything against me." In his brief allusion to the cause of the trouble, Mole-in-the-Face hinted at reasons why Blue Coat had preferred to remain silent. "As to you, Blue Coat," said he, "you ought to be thankful for having been treated as well as you have been; you ought to take good advice better in future."

"After the council," says Lieutenant Kingsbury, "presents were distributed by Major Dougherty, consisting of blankets, strouding, knives, tobacco, &c.; they appeared well pleased, and promised to be more friendly with each other in future. They appeared desirous of making peace with the Cheyennes and Arapahas [Arapahoes], and informed Colonel Dodge that they would send one of their principal men with him for that purpose."

The expedition resumed the march up the Platte on June 24th. Captain Gantt was sent to the village of the Pawnee Loups, on the Loup Fork of the Platte, and in a northwesterly direction from the town of the Grand

Pawnees, for the purpose of having two Arickaree Indians who were at that village meet Colonel Dodge to arrange for a talk with their people. Because of their tribe's recent depredations upon some of the white furs-gatherers, these Indians had been afraid to go with their Pawnee associates to the grand council with Angry-man and his brethren. Kingsbury says, "the Arickaras had been living with the Pawnee Loups all winter, but were scared away previous to our arrival by a lying Kanzas, who told them that Colonel Dodge was coming to their village with a large body of troops, and would kill every one of them." Gantt rejoined the command on the 27th, "and informed the Colonel that the two Arickaras he was sent for were a few miles in the rear, and would be up during the day. They would then go to where their people were, inform them of the peaceful intentions of Colonel Dodge, and collect them together by the time he arrived. The two Arickaras arrived in the [next] morning, accompanied by three Pawnees; one of them a brother of the Axe. The Pawnees wished to accompany Colonel Dodge to the country of the Cheyennes and Araepahas, for the purpose of making peace with these nations".

The Americans moved on up the river, taking the five Indians with them; and on July 1st "Captain Gantt left the camp with the Arickara chief, the Star, for the purpose of collecting the Arickaras together, whom he had heard were near the forks of the Platte". The expedition passed the junction of the forks in the morning of July 4th, and in the evening of that day encamped upon the south bank of the South Platte, at a place about twenty miles from its mouth. Here, in the next morning,

"Captain Gantt arrived with the chiefs and principal warriors of the Arickaras. The Arickaras are considered the wildest and most savage tribe of Indians west of the Mississippi, and have always been characterized by a want of faith in their promises, and an inveterate hostility to the whites, killing all they could meet. They are at war with most of the surrounding nations, and large numbers of them are killed every year. They formerly lived on the Missouri river, but were driven from this country by the Sioux, with whom they have long been at war. They have now no land that they can call their own; and are wandering about like the Arabs of the desert, killing and robbing almost every one they meet. They were originally a band of the Pawnee Loups, and had been living with them for some time previous to our arrival; and had, no doubt, by their influence, kindled that warlike spirit which seemed to exist among the Pawnees at the time we were at their village. The Loups, it appeared, had treated them with great hospitality and kindness; in return for which they had stolen a number of the Pawnee horses. They were the best looking tribe of Indians we had seen, and were dressed in a more gay and fantastic manner."

The preliminaries for a council with the Arickaree delegation were effected quickly. In a speech with which the proceedings were begun, Colonel Dodge told them that their Great Father, the President of the United States, was at peace with all his red children; that he had pity on them, and extended to them the hand of protection and friendship; that a great nation would always protect and never kill the defenseless; it was cowards alone who do the latter. Their Great Father desired to see them living at a permanent home, where they could cultivate the soil and raise corn and cattle, and also wished them to change their course and live at peace with their red brethren. Unless they did so, their enemies would unite and destroy them as a nation. They were warned not to attempt to attack the American soldiers. The warrior who is slow to anger, is the

most terrible when forced to action. Such was the character of their Great Father, the President. He was mild in peace, but terrible in war; his enemies had always fled before him in the field of battle. The Colonel would inform their Great Father of their situation, and recommend that he set apart a small country for them, if possible one near their friends, the Pawnees. At the conclusion of his address, which was by far the longer made by him in any council during his march, the Colonel told them that as the day was fine, the sky clear of clouds, and all were in the presence of the Great Spirit, he hoped "that truth alone would be spoken upon this occasion."

Responses were made by three chieftains: Bloody Hand, Two Bulls, and the Star—who was also known as Big-head. With all their savagery, they were gravely courteous in their demeanor and deftly flattering in their compliments. The Great Spirit had told Bloody Hand to listen to Colonel Dodge and heed what he said. Two Bulls knew of no one who would not love him. The Star had heard of his Great Father, the President, ever since he was a little child, "and to-day I see mine" (the Colonel). They confessed to having stolen horses from the Pawnee Loups, their only friends; professed deep penitence for their various other and worse misdeeds; and told of their poverty, which was now so great that they had not even a knife with which to cut up a buffalo when they had killed one. The Star declared that he had never yet slain a white man, but always when he had seen one in danger had tried to save him. They had been "for a long time homeless," wandering over the country and trespassing upon the hunting-grounds of others. Each dwelt with apparent satisfaction upon Colonel Dodge's promise to recommend that a section of the country be set aside for the tribe. All hoped that they would be given "a piece of land," and were sure they could and would lead a better life if that were done for them. Two Bulls preferred the country on the south side of the Platte, near the Forks. Bloody Hand "would like to live on land near the Pawnees." The Star, who had "always endeavored to act correctly," had no preference. "There are now," says Kingsbury, "about two thousand two hundred of them in all, numbers of them having lately been killed by their numerous enemies. They begin to feel sensible of their true condition, and the necessity of making peace; and if they could get the piece of land they desire so much, they would probably reform, and become a peaceful and industrious nation."

After the speech-making was over, Colonel Dodge passed out presents of blankets, strouding (a coarse heavy cloth), tobacco, knives, and various trinkets with what the warriors considered a generous hand, and with which they were pleased greatly. "It was treating them so much better than they knew they deserved, that they were quite overjoyed; and it will, no doubt, produce a very beneficial effect upon them." The Arickarees started for their village in the next morning (July 6th), having again expressed profusely their thanks and gratitude. "They told some Delawares that were with us, if they would accompany them to their village, they would return them the horses that had been stolen from them the last year."

The expedition also moved on that day, continuing up the right-hand bank of the South Platte, and entered the northeastern corner of Colorado's area late in the afternoon of July 9th. The route taken thereafter was up the easterly side of the South Platte, at varying distances from the stream,

across the site of Denver, and nearly to the mouth of the Platte Cañon; thence up the course of Plum Creek and over the ridge to the head of Monument Creek; thence down the Monument to the Fontaine qui Bouille, and down the latter on its eastern side to a point about fifteen miles above its mouth; thence southeast to the Arkansas River, which was reached at a place six or eight miles below the mouth of the Fontaine; thence down the Arkansas to Bent's Fort and on into what is now the State of Kansas.

In addition to Lieutenant Kingsbury's journal, we have rather a laconic account of this expedition in Colonel Dodge's formal report, written at Fort Leavenworth in the following October, but which in some particulars does not agree with the Lieutenant's narrative. The part of this document which pertains to his march through the land of Colorado and down the Arkansas River upon his homeward way here follows:

" . . . marched, on the 7th, up the south fork of the Platte.

"On the 16th of July, I was in full view of the Rocky mountains, covered with snow, and then at least one mile distant from my command. [“One mile” obviously is a typographical error; he passed the mouth of the Cache a la Poudre on the 18th.]

"On the 24th of July, I could see where the south fork of the Platte river left the mountains. I then changed my course south, near the foot of the mountains, in the direction of the head of the Arkansas river.

"On the 28th of July, I encamped in full view of Pike's Peak, on the Rocky mountains. The next morning two Spaniards arrived at my camp and stated that they had been sent by traders from the Arkansas river in search of the Arepaha Indians. On the 30th of July, I arrived at the Arkansas river, about five miles from the point that that river leaves the Rocky mountains. [This is in disagreement with Kingsbury's journal and also with the map that accompanies the report.] Here I saw about sixty lodges of the Arepaha Indians with their families. This nation claims the country from the south fork of the Platte river to the Arkansas, and numbers about eleven hundred warriors. They have never entered into a treaty with the United States. They are said to have come from the Rocky mountains, and are the descendants of the Blackfeet Indians, whose tongue they speak. I found them desirous of cultivating the most friendly understanding with me. From this place I despatched a messenger, with a few dragoons, in search of some of the principal chiefs of the Arepaha, with some of the Cheyenne and Blackfeet Indians, who were on the waters of the Platte.

"On the 31st of July, I commenced my march down the Arkansas, and arrived at the fort of Bent and St. Vrain [Fort Bent], on the 4th of August. This fort is built on the Arkansas river, about 130 miles from the Rocky mountains, and its owners are trading under a license from the superintendent of Indian affairs at St. Louis. They have erected the fort to protect them against a sudden attack of the Indians, and have a six-pounder and several small, light field-pieces; they trade with the Arepaha and Cheyenne Indians, and also with the Camanches of the Red river. At this place I met a number of the Cheyenne Indians. On the 6th of August, my messenger arrived with one of the principal chiefs of the Arepaha Indians, and some of the Blackfeet who reside with the Arepahas. At Fort William [Fort Bent], on the 7th of August, I met a large assembly of Indians in council, and endeavored to explain to them the views and wishes of the Government in relation to them. A small deputation of Pawnees accompanied my command from the Pawnee village, and had a friendly understanding with their old enemies, the Arepahas and Cheyenne Indians. I made a few presents to them, in the name of the great father, the President of the United States, which appeared to have a great effect on them, they being the first ever made to the Arepaha or Blackfeet. At this council, I learned that the Osages and the Arepahas, who had been at war for many years, had made peace, and that a party of the Osages had gone to the Camanches, on Red river, to confirm the peace made between them last year. Mr. Bent, of the trading-house of Bent and St. Vrain, arrived at Fort

William, on the Arkansas, the day after I had held the council with these Indians. He had visited the Camanches on the Red river, and stated that he had seen upwards of 2,000, and they treated him with great kindness, and expressed a desire to be included in the peace made by me with the [other] Camanches last year.

"When the boundary line is run between the United States and Mexico, I believe that more than one-half of the country now claimed by the Camanches will be within the territorial limits of the United States.

"On the 12th of August, I took up my line of march down the Arkansas, and on the 14th, arrived at a village of the Cheyenne Indians, composed of about sixty skin lodges. In the evening after my arrival, I held a council with the principal braves of this band. About 8 o'clock, next morning, my attention was directed to the firing of a number of small-arms in quick succession, at the distance of about one-half a mile; more than 100 guns were fired in one or two minutes. Supposing this firing to be an attack on the Cheyenne Indians by some of their enemies, and that this band might ask protection from me, I instantly formed the dragoons in order of battle, until I could be informed as to the cause of the firing. It was, however, soon ascertained to be a party of the Pawnees and Arickaras, about 100 in number, under the command of one of the principal chiefs of the Pawnees, which Indians, on arriving in the vicinity of their enemies, the Cheyennes, had fired their guns, to prove to them their friendly disposition, by approaching with empty guns. I was much gratified to meet the Pawnees and Arickaras at a village of the Cheyennes, on the Arkansas river. I had advised them in council, on the river Platte, to make peace with their old enemies, the Arapahas and Cheyennes. This I considered a fortunate meeting of the old enemies, as it enabled me, as the mutual friend of all, to effect, I hope, a lasting peace between them. The Cheyennes made presents to the Pawnees and Arickaras, of upwards of one hundred horses; and the latter made a present of fifty of their guns to the Cheyennes. I endeavored to impress strongly on the minds of these Indians, the mutual advantage that would result to them by making a lasting peace.

"On my march down the Arkansas, to the point where the road leading from the State of Missouri to Santa Fe crosses that river, nothing of moment occurred, except the death of one of the dragoons, who was taken sick suddenly, and died in two days. I have had the honor to command eleven mounted expeditions, and I have never seen mounted troops enjoy such good health. I had seldom more than two or three sick men on the sick report, and frequently not one. The dragoon horses performed well, and few of them were left behind on the march. The mules were generally in better condition than when they left the post. . . .

"The duties of the company commanders were arduous, being without the aid of subalterns. It gives me great pleasure to state that the conduct of the officers has met with my entire approbation. The non-commissioned officers and dragoons of this command have done their duty and proved their ability to perform the active duties of the field.

"On this tour of service the dragoons marched more than 1,600 miles."

The map that accompanies the reports of the expedition is deficient in details, while most of its features are displaced geographically. Longitudes are omitted, and its latitudes are more than half a degree too far north. The only right-hand affluent of the South Platte shown in the Colorado area is Plum Creek, which appears upon the map as "Chrystal Creek," which name was given it by Colonel Dodge's officers. Discharging into this stream, about five miles above its mouth, is "Dry Creek," flowing from the eastward, and which appears to be a confused representation of Cherry Creek. The Cache a la Poudre, far out of place, is called "Powder River," and another stream on that side, apparently intended for the St. Vrain, is named "Otter Creek." The district on the east side of the river, between Denver and Greeley, is labeled "Snake's and Crow's War Grounds." Captain Pike's name is given to his peak, and that of the Fontaine is rendered "Fontaine que Bouillait." The Colorado plains country to the eastward of

Denver is the range of the "Gros Ventres Indians of the Prairie." South of these, along the north side of the Arkansas River, are the "Chiennes Indians." East of the Purgatory, between the Arkansas River and the Santa Fé Trail, are the "Comanche Indians," who are thus located in a range much too small for so large a tribe, and doubtless too far north. A note on the map reads: "Estimated distance [traveled by the expedition] 1,645 miles, by Lieut. Steen, United States Dragoons."

Lieutenant Kingsbury's journal contains many interesting particulars of Colonel Dodge's march through Colorado's domain, but limitations as to space forbid its reproduction in full upon these pages. When the expedition reached the northeasterly border of our State the country had begun to assume a different character.

"The elements of the scene now were an unbounded prairie, a broad river, with innumerable herds of buffalo grazing upon its banks, and occasionally a solitary tree standing in bold relief against a clear blue sky. These elements, combined with the skill of nature's Artist, formed one of the finest landscapes I had ever seen. . . . Every thing, in fact, contributed to lend to the scene around us all its additional charms. The buffalo surrounded us in large herds, making the prairie almost black by their immense numbers. Saw, also, great numbers of antelope, and some deer. . . . This section of country is what is called the neutral ground, and extends from the forks of the Platte almost to the foot of the mountains. It will not admit of the permanent residence of any Indians, and is only frequented by the war parties of different nations. The Arapahas and the Cheyennes sometimes move into this country for a short time during the summer, to hunt buffalo. On the evening of the 9th, arrived near a cotton-wood grove, the first timber we had seen since we left the forks of the Platte."

During the next three or four days, the weather being "remarkably fine," two large droves of wild horses were seen, and "immense herds" of buffalos still blackened the country. On July 15th, "after we had encamped, towards night, the clouds which had been lowering around the western horizon cleared away, and discovered to us a beautiful birds-eye view of the Rocky Mountains. This sight was hailed with joy by the whole command. We saw the end of the march—the long-wished-for object of all our hopes. They at first resembled white, conical clouds, lying along the edge of the horizon. The rays of a setting sun upon their snow-clad summits gave to them a beautiful and splendid appearance". Two days later, the expedition "passed the mouth of the Cache de la Poudre, a large stream, emptying into the Platte on the opposite side, with timber on its banks". The only vegetation to be seen upon the higher ground in that vicinity was "a species of wild sage, which the buffalo eat in winter, and a few prickly pear". Herds of buffalos continued to be numerous.

In common with most of the pioneer wayfarers upon the plains, Lieutenant Kingsbury overrated the distance traveled daily by the command. According to his estimate, the marches on the 19th and 20th covered thirty-eight miles; and as he had passed the mouth of the Poudre on the 18th, this distance would have put him some forty-five miles above that point. At the camping-place in the evening of the 20th, "the river makes a considerable bend to the south, and runs for some distance nearly parallel with the mountains". It appears from this that camp was made on the 20th in the neighborhood of the mouth of St. Vrain Creek. On that day, "we passed over a large sand-hill, upon the top of which we found oyster-

shells, that appeared to have lain there for ages. They were so brittle that they broke when pressed between the fingers". The grass was good in the immediate valley of the river, which was "generally wet with streams running through it," but upon the higher land there was only buffalo grass and wild sage. From the camp of the 21st, it was "about twenty miles to the mountains. Saw immense herds of buffalo in every direction". During the next two days, the command marched forty miles, according to Kingsbury's estimate, and crossed the site of Denver on the 23d.

"The country, as we approach the mountains, begins to assume a more rough and broken appearance; timber more abundant; saw several sorts of wild fruit, such as plums, cherries, gooseberries, &c. Passed several creeks that were dry, some of them skirted with timber. One of them [evidently Cherry Creek] the traders usually ascend in passing from the Platte to the Arkansas. The distance from the Platte to the Arkansas is about ninety or one hundred miles, and this is considered the nearest and most accessible point between them."

On the 24th, the expedition "passed near the point where the Platte issues out of the mountains," and turned up the valley of Plum Creek, which "we called the Crystal creek, from the circumstances of our finding there some fine specimens of rock crystal of a considerable size. There was formerly large numbers of beavers upon this creek, but they have all been caught by the different trappers who frequent it. Saw no buffalo, but the deer are numerous". Kingsbury gives a glowing description of the landscape he viewed while passing up to the head of Plum Creek, which was reached on the 26th, camp being made in the evening of that day on "the headwaters of one of the branches [Monument Creek] of the Fontaine que Bouille". "Upon the summit level there is a lake about half a mile long, and four or five hundred yards wide. The small streams on one side of this run into the Platte, and on the other into the Arkansas." The command arrived at the Fontaine in the evening of the 27th, and encamped near the mouth of Monument Creek. "Pike's Peak was in full view, its snow-clad summit towering up to an immense height. From this valley it is but two days' ride to the waters of the Rio del Norte, and but three to Taos, one of the Mexican Provinces."

"July 28th.—Remained encamped; visited the Fontaine que Bouille, or spring that boils, a mineral spring near the foot of Pike's peak. The water boils up out of a limestone rock, forming a basin two or three feet in diameter, and of about the same depth; it has a pleasant acid taste, and was thought to possess properties similar to the waters of Saratoga; it is directly in the pass leading from the Fontaine que Bouille to Rio Salado [the Bayou Salada], a large valley in the mountains [the South Park], where the Arapahas frequently pitch their lodges, and remain encamped for a considerable length of time during the summer. We ascended the mountains along the ravine that forms the bed of the Fontaine que Bouille, and saw the mountain torrent washing down through the pass, forming numerous cascades and waterfalls as it came tumbling down over the high rocks. From this we ascended one of the peaks to the distance of about a mile above the level of the plain. From the top of this we had a beautiful and extensive view of the country for many miles; we saw the timber upon the Arkansas and the Platte, and a large extent of waving prairie country lying between the two rivers. To the right, at an immense distance, we could see the feathery and indistinct outline of the Spanish peaks just rising above the visible horizon; while in our rear there lay a long succession of high ranges of mountains, until the snowy summits of the last and highest appeared to meet and mingle with the clouds. Nature appears here to have thrown aside her wild and sportive mood, and to have

given to the whole scene her deepest impress of grandeur and sublimity. As we had no barometer or mathematical instrument for taking heights, it was impossible to form an accurate estimate of the altitude of any of these mountains; but, upon ascending one of the first and lowest, and travelling constantly for five or six hours at an angle of ascent of nearly 45 degrees, we found the apparent distance to Pike's peak (the lowest that was covered with snow) but little diminished. Another proof of their immense height, is the long distance the snow extends below the tops of the mountains. Upon some of the highest it appeared to extend more than half way down their apparent heights, probably for the distance of a mile or more. Upon the top of the mountains we ascended we found immense masses of primitive rock piled up to a great height; but near the base of the mountains, and upon some of the lesser heights, the rock appears to be of a sandy texture. Found a number of fine specimens of minerals of different species near the base of the mountains, on the banks and in the beds of the small creeks. We saw also a species of goat which is said to live entirely in the mountains, leaping from rock to rock, and living upon the shrubbery which grows upon the side of the mountains. The valley of the Fontaine que Bouille is very much frequented by the Indians, especially by the Arepahas, who come up here in the fall to gather the wild fruit that grows in abundance near the base of the mountains. The whole route from the Platte to the Arkansas is frequented by large parties of the Blackfeet, Crows, Snakes, and sometimes the Eutaus, who live upon the waters of the Rio del Norte, but frequently come over through the mountain passes to steal horses from the Arepahas and Cheyennes."

Resuming the march on the 29th, the expedition moved down the east side of the Fontaine. In the evening "two Spaniards from Taos arrived at our camp; they came over for the purpose of trading with the Indians, for whom they were then looking. Their stock, which consisted of whiskey and flour, they had left on the opposite side of the Arkansas". On the next day, the command "left the valley of the Fontaine que Bouille, and crossed [southeasterly] the dividing ridge between that and the Arkansas", making camp on the latter in the evening. "Shortly after we encamped we were visited by three Arepahas; they informed us that there were fifty lodges on the opposite side of the river; that the remainder of the nation, with a large number of Cheyennes, were hunting buffalo about two days' ride from here, between the Platte and the Arkansas."

"July 31st.—Remained encamped. Fifty lodges of the Arepahas came over from the opposite side of the river, and encamped about two or three hundred yards from us. These Indians have long been friendly to the whites. They have a large number of horses, having lately stolen about one hundred and seventy from the Eutaus, with whom they are at war. They subsist upon buffalo meat, and when out of the range, live upon dogs, of which they have a great number, and of a large size."

"August 1st.—Captain Gantt started this morning for the purpose of collecting the other villages of the Arepahas together; marched four or five miles; passed a deserted trading establishment. The Arkansas, at this point, is five or six hundred yards wide, deep, rapid, and the water clear. It was only fordable at the most shallow places. Saw no buffalo in this portion of the country, but there is plenty of deer."

"August 2d.—Took up our line of march for Bent and St. Vrain's fort, a distance of sixty miles, in a direction down the Arkansas, and arrived there on the 6th. This portion of the valley of the Arkansas possesses many of the general features of the valley of the Platte. . . . The country between this and the Platte is said to be hilly, with but little timber and water. The buffalo are very numerous in that portion of the country, and the Indians frequently move their whole villages there, and remain and hunt there for a considerable length of time. Met a war party of Cheyennes, who were going out against the Camanches. The Cheyennes have always been friendly to the whites, and this party appeared re-

joined to meet us. On our arrival at Messrs. Bent and St. Vrain's trading establishment, or fort, we found two villages of Cheyennes encamped near them; the one upon this, the other upon the opposite side of the river. A party of Spaniards from Taos had been selling them whiskey upon the opposite or Mexican side, and we found a number of them intoxicated. They are very fond of whiskey, and will sell their horses, blankets, and everything else they possess for a drink of it. In arranging the good things of this world in the order of rank, they say that whiskey should stand first, then tobacco, third, guns, fourth, horses, and fifth, women. Remained encamped from the 6th to the 11th, waiting for the Arapahas and Cheyennes to be collected together, for the purpose of holding a council with them. Messrs. Bent and St. Vrain have a large trading establishment at this place, and carry on an extensive trade with the Indians in buffalo robes, for which they sell them knives, blankets, tobacco, kettles, etc. On the evening of the 10th, Captain Gantt returned, with some of the principal men and chiefs of the Arapahas, a few Gros-ventres, and two or three Blackfeet, belonging to a band living with the Cheyennes. About one hundred of them started for their village, but not finding Colonel Dodge where they expected, and having left their families in an unprotected state, they returned to their village. The principal chiefs, however, and some of the principal men, came on to the fort. The Cheyennes are a bold and warlike band of Indians, and at the time of our arrival were in a state of great disorganization. They had just killed their principal chief, and had separated into three villages, and were wandering about the prairie without any leader. They were at war with the Camanches, Kiowas, Pawnees, and Ariekaras; a large war party had gone out against the Camanches, and had not returned at the time of our arrival. The Osages had visited the Cheyennes and Arapahas early in the summer, and have made peace with them. A party of the Arapahas then went with the Osages to visit the Camanches, with whom they wished to establish friendly relations. The Cheyennes are a better looking race of Indians than any we have seen, and more cleanly in their appearance. The women are remarkable for their beauty and the neatness of their personal appearance. The Cheyennes formerly lived on the Missouri river, where they were visited by General Atkinson in 1825. They left that country shortly after, and came to the south fork of the Platte, and have since been living with the Arapahas, with whom they have entered into the strictest terms of alliance, both offensive and defensive, and will, doubtless, in a few years, become incorporated with that nation. They are now about two hundred and twenty lodges, six hundred and sixty men, or two thousand six hundred and forty souls in all. They range between the Platte and Arkansas, near the mountains, and subsist entirely upon buffalo and the wild fruit they gather along the mountains.

"Of the Arapahas, there are about three hundred and sixty lodges, one thousand and eighty men, or three thousand six hundred souls in all. They are a less warlike nation than the Cheyennes, and appear to be a small and more delicate looking race of Indians, and are governed in their war movements almost entirely by the Cheyennes. The names of their principal chiefs: Ena-cha-ke-kuc, or buffalo bull that carries a gun; Oe-che-ne, or old raven; E-thaw-ete, or strong bow; Waw-lau-nah, or black dog; Waw-hin-e-hun, or mad bear; Naw-tuh-tha, or buffalo belly. They are less neat in their appearance than the Cheyennes, and make their clothes of buffalo skins. They range with the Cheyennes between the Platte and Arkansas, and subsist entirely upon buffalo. The bow and arrow is the principal weapon they make use of in war, and in killing game. Some few of them have guns and ammunition that they have bought of the American traders for robes and fur. They kill their buffalo upon horses, by running at full speed into a large gang, and shooting them with their arrows. The Arapahas formerly lived upon Maria's river,

"The Gros-ventres of Fort du Prairie, now living with the Arapahas, are a band of the Blackfeet. They speak the same language with the Arapahas, emigrated from the same country, and have the same manners and customs. There are now about three hundred and fifty of them living with the Arapahas. Seven hundred lodges came to the Arkansas in the summer of 1824, and returned in 1832, and are expected again on the Platte and Arkansas, in September, 1835. The names of their principal chiefs are Nash-hin-e-thow, or elk tongue; Ka-aw-che, or bear tooth.

There is, also, a small band of the Blackfeet proper, consisting of about fifty, who live with the Cheyennes and Arepahas. A band of Kiowas, called the Upper band, consisting of one thousand eight hundred or two thousand, and another who are called the Apaches of the plains, consisting of about twelve hundred, also frequent this portion of the country. All of these Indians frequent the Arkansas and the Platte near the mountains, for the purpose of killing buffalo, upon which they subsist, and make their clothes of the skins. They all have large numbers of horses, upon which they hunt buffalo and pack their baggage. The women do all the work, and wait upon the men, who do nothing but kill the game."

Colonel Dodge held a council at Fort Bent, on August 11th, with representatives of these several tribes. All the Cheyenne leaders who were on the ground attended; the Arapahoes were represented by their principal chief and several other warriors; the Gros Ventres by some of their prominent braves; and the Blackfeet also had a deputy. After these Indians had arranged themselves in the conventional council-form, the Colonel addressed them as follows:

"Chiefs and Warriors of the Cheyennes, Arepahas, Gros-ventres, and Blackfeet, present:

"Friends, I am happy to meet you; your great American father is desirous to be at peace with all his remote red children; he wishes you to smoke the pipe of peace with your enemies, and bury the hatchet of war; your old enemies, the Pawnees, wish to make peace with the Arepahas and Cheyennes; the brother of the principal chief of the Pawnee Loups has traveled on foot many hundred miles to see you, and to smoke the pipe of peace with you. By making peace with the Pawnees and Arickaras, you will be able to meet on the Platte as friends, where there is buffalo in abundance; you will then have no dread on your minds of danger from each other, and you often want something for your children to eat on that account. The Cheyennes are now at war with the Camanches; I would earnestly recommend to them to make peace with this nation, and I wish the Arepaha chiefs who are friendly both with the Cheyennes and Camanches to interpose their kind offices to effect an object so desirable for the mutual benefit and advantage of both nations.

"I was much pleased to hear that the Arepahas and Osages have made peace, and that the Osages had gone with the Arepahas to visit the Camanches; I hope the peace they have made will be lasting, and that they will hold each other strong by the hand. The Cheyennes have killed their principal chief, the High-backed Wolf, and as they have no chiefs, I would recommend to them that they would choose from among their principal braves a chief for each band; the present distracted state of their nation requires this course; after they have selected their chiefs, it is their duty to obey them in peace and in war. No nation of people can exist without rulers; Indians who trespass on the rights of others should be punished, and good men should be rewarded; I recommend to you to be just to your traders; it is for the mutual advantage of you all to be so; any attempts on your part to injure your traders would deprive you of them; they are here by permission of your great father; the Arepahas have never made a treaty with their great American father; the friendly manner they treat their traders, and the peaceable and friendly disposition they have evinced towards me, shall be made known to him. I present you in the name of your great father, some valuable presents, which are given as a proof of his great regard for his remote red children; it is his wish you meet all the Americans in friendship, and that the pipe of peace may be smoked between you, and the war hatchet never be raised."

Little Moon, one of the principal men of the Cheyennes, and formerly their chief, thus replied to the Colonel:

"My father, I believe it was my great father, the President, who sent you here to talk to us to-day, and we are glad to see you; we saw troops once before, on the Missouri, and took them by the hand; you have been telling us to hold the

whites by the hand; we listen to what you say; you wish us to be at peace with all nations; the Crows have been killing our people; I know but little; what you say is very good; your heart is open; one of our war parties is gone to the Camanches, another against the Pawnees and Arickaras; my heart is with them; we have not heard from them; what you say is very good; the whites are all good; there is nothing bad about them; wait until our war parties return, perhaps some of them are killed; winter before last this Pawnee [alluding to the Pawnee who had accompanied Colonel Dodge from the Pawnee country] came to our village; we took him by the hand, and smoked with him; you have taken this Pawnee by the hand, and have brought him to our village; our hearts are very glad; as soon as we saw him, we got off our horses, ran to meet him, and took him by the hand; I know but little; what I do know I have told you; wait until our war parties return, I shall then know what to say; I am glad to see you, my father, and have listened well to what you have said; I am glad you have brought this Pawnee with you, I hope he will give each band a medicine arrow [it is customary among these wild Indians to exchange arrows in making peace; these are medicine arrows.—Kingsbury], and each band will give him one in return; I wish you to tell the Pawnee to send each of us a medicine arrow; when we meet the whites in the prairie, we will take them by the hand and hold them fast; this is the second time I have seen troops, and my heart is glad to see you; I have nothing more to say; I know but little; what I do know I have told you."

The Pawnee now addressed the council:

"Cheyennes and Arepahas: I am glad to meet you to-day; you have spoken truth about medicine arrows; Cheyennes and Arepahas, this is the third or fourth time we have made peace: but it will not hold; you have never been to see us; we have always been the ones to come and see you; my brothers, I have come to see you to-day; you sent a young man to our village, we gave him arrows, but have never received an answer; you have only stolen our horses and killed our people; it is true last year when I left my village, I had my bag full of news; but before I got to where you were, I stumbled and lost it all. My brothers, the Cheyennes, you see me here to-day; my father [Colonel Dodge] brought me here to make peace with you; although you see me here as nothing; when I am in my village I am not afraid of you; everything I say to you is true, I hide nothing from you; I have come to see you, my brothers, and I hope you will come to see us: it appears that you have been afraid to come and see us, but come there now, and we will not kill you, we will receive you well; my brothers, the road is now good, it has been made good by our father; I hope you will go and come without fear; may it always remain good."

Lieutenant Kingsbury goes on to relate:

"The Colonel requested the Cheyennes to select a chief for each of the three bands that were at the council. But, after waiting for a considerable length of time, and finding no one willing to step forward, he told Little Moon to select three chiefs (one for each band), and, if they pleased the nation, they might be appointed. He accordingly took three of them by the hand, and led them forward to Colonel Dodge, and seated them near him. The Colonel then asked them if they had any objections to these men: no objections were made. They were not only the choice of the Cheyenne nation, but the very men that the traders who were acquainted with them would have selected. The Colonel then put around their necks the representation of a medal, and told them they were chiefs, and would be regarded as such by the whites. He also told the Cheyennes that they must consider these men as their chiefs, and respect them accordingly. Their names were, the White Cow, the Flying Arrow, and the Walking Whirlwind; all of them distinguished warriors, friendly with the whites, and popular with the nation. The presents were then distributed, consisting of blankets, tobacco, knives, &c., according to the number in each nation. They appeared much pleased, and went away delighted with the goodness and generosity of the whites. They gave the Pawnee twelve horses, and seemed desirous of establishing a permanent peace with that nation. They had sent out war parties against the other nations with whom they

were at war, and wished to wait until their return, but before they could agree to make peace.

"If an agency were established at this place, in a few years peace might be restored among all the different tribes in this portion of the country. This appears to be a favorable position for establishing an agency, as it is a central point, where the Indians near the mountains all collect. The Kiowas, Camanches (upper bands), Cheyennes, Arepahas, Gros-ventres, and Blackfeet, all frequent this section of the country, and come to this trading establishment for the purpose of exchanging their buffalo robes for goods. Another advantage it possesses is, that, being close to the boundary line, the movements of the Mexicans could be watched; and in case any encroachments were committed, the earliest intelligence might be received. The Indians have the highest opinion of the Americans, think them the first people in the world; and would pay the greatest regard to what they were advised by the whites."

Leaving Fort Bent on August 12th, the expedition resumed the march down the Arkansas, with not a man on the sick-list, and with the horses in condition nearly as good as when they left Fort Leavenworth.

"The Colonel had seen all the Indians he expected to see, and had established friendly relations with them all: had marched one thousand miles over a beautiful and interesting country, and we started for home with that joyous and self-satisfied feeling which resulted from a consciousness of having accomplished the full object of the expedition. Just before our departure, the Arepaha chief and the Gros-ventre came down to our camp to bid us farewell. They said their hearts were very glad. That the Americans were very good. That they would go home and tell their people how well the whites had treated them, and they thought their people would cry because they did not come with them."

Lieutenant Kingsbury noted that during the first two days of the march below Fort Bent the Arkansas valley retained the same general appearance as above, but, while timber was less abundant, the soil was more fertile. No buffalos were seen, though recently-made traces of them were present. At a distance of some forty miles from Fort Bent, a good position for a military post was passed, "should it ever be the policy of the Government to establish one in this portion of their territories." The site was upon a high bluff bank, with extensive flats on each side, covered with timber. The position being on a point near a bend of the river, such a post could command the stream above and below for a considerable distance, and would be difficult of approach on either side. There was an abundance of stone for building immediately on the ground, and timber close at hand.

"Arrived at another Cheyenne village on the evening of the 14th [evidently at the upper end of the "Big Timber"], having marched about fifty miles since leaving Messrs. Bent and St. Vrain's fort. This was the band of Cheyennes that were absent at the council. There were about fifty lodges of them. They had large quantities of buffalo meat hanging up to dry all around their village, and their encampment was surrounded by a large number of horses, many of which they had just stolen from the Camanches. Soon after we had encamped, the principal men and warriors of the village came down to visit us. Colonel Dodge held a talk with them, in which he told them he was happy to meet them; that he had come a long way to see them and the other tribes; that he had been sent by their great father, the President; that he had met the Arepahas, Gros-ventres, and other tribes of the Cheyennes, in council; had made a chief for each of the three bands that were there, and that if they would select one of their principal men he would make him a chief, and that he would be regarded as such by the whites: that Mr. St. Vrain would give them presents equal in amount to the presents received by the other bands. They pointed to five men sitting together, saying they were the principal men. They appeared reluctant to make the selection from among these

five. The Colonel then told them they must select some one to receive the presents and have them distributed. One of the braves was finally led forth, to whom the medal was given, together with the presents, and a letter from Colonel Dodge, stating that he had been made a chief. His name was White-man's Chief. They appeared well pleased with their reception, and went away highly gratified.

"August 15th.—This morning, while a large number of the Cheyennes were collected at our camp, and the Colonel talking to the new-made chief, we heard the report of several guns immediately over the ridge, about a mile distant: soon after, a large volley, and then another. The Cheyennes, who were in camp, mounted their horses immediately, and rode off in the direction of the firing, at full speed. Not knowing who it was, the Colonel ordered the command under arms. Soon after, some of the Indians returned, and give us to understand, by signs, that it was a party of Pawnee Loups and Arickaras, who had come over to make peace with the Cheyennes. They came to the top of a hill, in sight of the village, fired their guns in the air, and raised their flag, as a sign they wished to make peace. The Cheyennes ran out to meet them, took them by the hand, and conducted them to their village, where they commenced by smoking the pipe of peace, and giving them horses. After they had given them about one hundred horses, they invited them into their lodges, and commenced giving them feasts. In return for which the Pawnees and Arickaras gave them a number of guns. They spent the whole day in this manner, feasting and making presents.

"16th.—Colonel Dodge held a council with the Cheyennes, Pawnees, and the Arickaras. He went to the lodge of the new-made chief, and requested him to collect his principal men together. Sent also for the chiefs of the Pawnees and Arickaras. After they were collected together, the Colonel addressed them as follows:

"To the Chiefs and Principal Men of the Pawnees, Arickaras, and Cheyennes:

"Friends, I am happy to meet you. My advice given to the Pawnees and Arickaras, on my march to the Rocky mountains, has been followed. The Cheyennes, your former enemies, have met you as friends; you have smoked the pipe of peace together, and, I hope, for ever buried the hatchet of war. The road is now open for the Cheyennes to go and see the Pawnees and Arickaras. I am assured, by their chief, that the Cheyennes will be treated with the same friendship and kindness that they have extended to the Pawnees and Arickaras. Your great American father will be pleased to hear that his remote red children are making peace with each other; it is his wish that you should all live in the same country. The Pawnees, Arickaras, and Cheyennes, making peace, can hunt the buffalo without the dread of being killed. A friendly intercourse between you will make your children friends. They will, when grown, take each other by the hand, and a state of war will give way to good feeling with you all. You have never profited by killing each other; it will always terminate to the injury of you all. The Pawnees have been stopped, by the advice of their agent, from going to war with the Cheyennes, and other nations. I gave them the same advice when at their village. I was pleased, yesterday, to find that my words had been listened to. I told the Cheyennes what they find to-day is true. The Great Spirit has, providentially, brought us all together at the same time; and has proved to the Cheyennes the truth of my words. Your great American father is desirous a lasting peace should be made with all the red-skins, with a view of helping their condition. You are poor; you have no country that your great father wants. The dragoons you see here were sent for the purpose of ascertaining your true condition. Should you have bad men among you, who will not listen to good advice, and who will kill and steal, you must punish them. The chiefs and braves are pledged for the strict observance of treaties of peace when made between you, and you should not permit the evil-disposed to destroy all the good that has been done. Bad men among all people must be made examples of. I am going to part with you. I hope to hear the good counsel I have given you will be remembered by you all when I am far from you. You will be convinced that your true interest is to hold each other strong by the hand as brothers and friends, and never again to stain your hands by the blood of each other.'

"The Cheyennes not yet having learned the practice of speech-making, did

not reply directly to Colonel Dodge; they said, however, they were very glad to see the whites, and wished the Colonel to remain several days, that they might hunt buffalo, and bring in meat for him. They appear desirous of making a permanent peace with the Pawnees and Arickaras. A large party accompanied a party of Arickaras and Pawnees, who were going to visit the Arapahas, for the purpose of making peace with them. The Cheyennes and Arapahas are to meet the Pawnees and Arickaras on the Platte, next winter, and hunt buffalo with them. The Pawnees are to bring along with them a large quantity of corn, to give feasts, and trade with the Arapahas and Cheyennes.

"The Arickaras were formerly on very friendly terms with the Cheyennes, and lived with them for some time; many of them still speak the Cheyenne language well. After the Cheyennes had concluded an alliance with the Arapahas, the Arickaras commenced stealing their horses. Still they would not go to war; they said they did not care for a few horses. The Arickaras soon after killed several whites, who were trading with the Arapahas. They then determined to declare war against them; and soon after, the Arapahas, meeting a war party of twenty or thirty Arickaras, who were coming to steal their horses, they attacked them, and killed them all, not one escaping. The Cheyennes soon after met a war party of Arickaras, and killed them all, except one; him they told to go home, and tell his people that it was the Cheyennes who had killed the party. Since that period they have carried on a predatory warfare, until the present time. This peace is, no doubt, the result of the advice given them by Colonel Dodge. At the council with the Pawnees and Arickaras [on the Platte], he advised them strongly to make peace with their enemies, especially the Cheyennes and Arapahas. He represented to the Arickaras their deplorable condition; if they still persisted in war, that they must inevitably lose their name as a nation. This advice had a great effect upon them, as they had already commenced to experience the truth of it.

"The Star (one of their chiefs), afterwards [after the council on the Platte] told Colonel Dodge that he would go out to meet the Cheyennes with a peace party, and would get there as soon as he did. He proved the truth of this remark by his arrival. The Star has always been more friendly to the whites than the other chiefs. And he informed the Colonel since he has been here that the Arickaras had listened well to his advice; that it had sunk deep into their hearts; that he, the Star, had acquired a great influence among them, and was now one of their principal chiefs; and that he was constantly impressing upon their minds the necessity of listening to the advice their father had given them, and of making peace with their enemies.

"The good effects of the expedition are thus already becoming apparent, and it will probably have the effect to establish peace among all the different tribes between the Arkansas and the Platte. This will be of immense advantage to these Indians, as they will thereby have an extensive country opened to them, covered with innumerable buffalo, where they can hunt in safety, without the fear of being attacked by their enemies."

The command again took up its march on August 17th, and appears to have encamped in the evening of that day upon or near what is now the eastern boundary of Colorado. During the next few days, timber was found less abundant, and in many places there was none at all, driftwood left upon the river's bank by receding waters having to be gathered for camp-fire fuel. Only a small number of buffalos was seen. The eastward march was continued along the northward bank of the Arkansas to the Santa Fé Trail and onward by that highway nearly to the western border of Missouri, and thence north to Fort Leavenworth, which was reached on September 16th. The death of the dragoon, mentioned by Colonel Dodge, in his report, but whose name is not given either by him or Lieutenant Kingsbury, occurred on September 11th, the command then being in eastern Kansas. Kingsbury says "the Colonel directed him to be buried on a high

prairie ridge, and a stone placed at the head of the grave, with his name and regiment engraved thereon".

The results of this remarkable expedition, which had crossed and recrossed the entire country of the plains Indians, not only without having fired a hostile shot, but leaving among the red people peace, friendship and good will in every stage of the journey, caused Major General Edmund P. Gaines, then in command of the Western Department, in his letter to General Roger Jones, Adjutant-General of the Army, at Washington, with which he transmitted General Dodge's report and Lieutenant Kingsbury's journal, to say:

"I have the honor to transmit, for the information of the proper authorities, the letter and journal of Colonel Henry Dodge, commanding the United States light dragoons, reporting the details of his late tour of service, the results of which are not only altogether deeply interesting, but are, in part, *extraordinary*, and, I may add, unprecedented. For example, the expedition embracing [embraced] a traverse of sixteen hundred miles of continuous wilderness, alternate prairie and woodland, in which many nations of Indians were conferred with, and most judiciously impressed with the *justice, magnanimity, humanity* and *power* of our Government and country, and then passed by without sustaining any injury or loss by any casualty, excepting only the short illness and death of one of the brave dragoons, and without loss or any material injury done to the horses of the battalion.

"If we are to regard as worthy our constant attention, the maxim '*In peace prepare for war*,' and in our efforts to conform strictly to this maxim, should avail ourselves of fit and striking occasions to notice, with marked approbation, particular officers or corps who may be so fortunate as to discharge very difficult or delicate duties, in a manner so worthy of imitation. I know of no officer or corps of my command to whom such a mark of distinction is more justly due than to Colonel Dodge and his officers and soldiers engaged in this expedition. For it is not probable, if it is possible, that such an expedition could have been crowned with so many favorable results to the service, to the Indians, as well as to the frontier inhabitants, without very great vigilance, care and prudence, on the part of the Colonel and his officers, and constant attention, obedience, and fidelity on the part of the non-commissioned officers and soldiers.

"That it requires at least as high a degree of *moral courage*, that description of moral courage which, on all occasions, marked the character of our beloved Washington, to perform such a tour of service in the manner this has been accomplished, as to fight battles and win victories, there can be little doubt among men of experience. Indeed, it is not uncommon for idlers, and tipplers, and others, destitute of the moral courage to do their ordinary duty even tolerably, who, on the spur of occasion, have turned out and made a respectable fight.

"I am decidedly of the opinion that a sword given to Colonel Dodge, a brace of pistols to each of his commissioned officers, and a month's pay extra to each one of the non-commissioned officers and soldiers who accompanied him, would contribute much to the good of the service, by inspiring all officers and men with that spirit of increased vigilance and emulation so necessary to the preservation of health and life, and public property, and which is essential to success of all wilderness movements.

"The approaching disturbances in Texas would seem strongly to admonish us of the immense importance of our officers and men being thoroughly acquainted with the whole line of our southwestern frontier, from the Sabine bay to the Rocky mountains."

Colonel Dodge, born in the country that now forms the State of Indiana, served in our second war with England as a Captain, a Major, and as the Lieutenant-Colonel of a regiment of volunteers raised in Missouri; and was Colonel of a regiment of Michigan mounted volunteers that took part in "Black Hawk's War," in the spring and summer of 1832.

On March 4, 1833, he was appointed Colonel of the First Regiment of United States Dragoons, with a part of which he made his expedition to the Rocky Mountains. He resigned from the army on July 4, 1836, to become the Governor of Wisconsin Territory, which was organized in that year, and so served until the summer of 1841. In 1845, he was again appointed Governor of that Territory, and still was filling the position when Wisconsin was admitted into the Union, in May, 1848. He was then elected the new State's junior Senator in the United States Congress. At the expiration of his first term he was re-elected, and continued thus to represent the State until March 4, 1857. He died on July 9, 1867.

In the year 1845, Colonel Stephen W. Kearny, then in command of the First Regiment of United States Dragoons, with several companies of that organization made a "Summer Campaign to the Rocky Mountains" from Fort Leavenworth, in obedience to orders received from Washington. Leaving Fort Leavenworth on May 18th, he took a westerly course to the Oregon Trail, which he struck in the valley of the Big Blue River. Thereafter, his westward march was upon that road—to the Platte River, thence up that stream and the North Platte to Fort Laramie, and on to and some distance beyond the South Pass. Returning to Fort Laramie about the middle of July, he moved almost directly south and passed through the Colorado country, along the eastern base of the mountains, to the Arkansas River; thence eastward by the course of that stream to the Santa Fé Trail, and by that road, for most of the remaining way, to Fort Leavenworth.

In some respects, the purposes of Kearny's "Summer Campaign" were similar to those of Colonel Dodge's expedition, but they were not animated by the spirit of conciliation and good will to the extent that it characterized with the latter's intercourse with the Indian tribes that he met. Colonel Kearny was inclined to depend more on a display of force in producing lasting impressions upon the Indian mind; and the circumstances now were different. He set out to demonstrate to the prairie Indians the military ability of the United States to protect the emigration to Oregon and to punish them for any attacks or other depredations they should make upon the white wayfarers. In commenting upon Kearny's reconnaissance, General Winfield Scott, then "Commanding General of the Army", in his annual report for that year, said "the great number of Indians passed, in that wide circuit, must have been powerfully impressed with the vigor, alertness, and fine appearance of the troops, as well as by the wise and humane admonitions of the commander". Colonel Kearny's report of the expedition, made to the Adjutant General of the United States Army, and which is a remarkably condensed document, here follows:

"Report of a Summer Campaign to the Rocky Mountains, etc., in 1845."

"Headquarters 1st Regiment Dragoons,
"St. Louis, Mo., September 15, 1845."

"Sir: The marches pointed out in the instructions to me from your office, of April 9th, have been performed. The journal report, by Adjutant Turner, 1st dragoons, and the map of the country over which we passed, drawn by Lieutenant Franklin, topographical engineers, being now completed, are enclosed herewith. They render any other than a brief report from me unnecessary.

"On the 18th of May I left Fort Leavenworth, being in command of five companies of my regiment, each 50 strong, well mounted and equipped for any service; each dragoon having his proper arms—a sabre, carbine, and pistol. Two mountain howitzers followed in the rear of the column. The officers attached to the expedition

were Colonel Kearny, Surgeon De Camp, Captain McKissack (assistant quartermaster), Lieutenant Franklin (topographical engineer), Lieutenant Turner (adjutant of regiment), Lieutenant Carleton (assistant commissary of subsistence). With company A were Capt. Eustis, Lieutenant Ewell,—with C, Captain Moore, Lieutenant Smith,—with F, Lieutenants Kearny, Stanton,—with G, Captain Burgwin, Lieutenant Love,—with K, Captain Cook, Lieutenant Hammond. Mr. Thomas Fitzpatrick was our guide. From Fort Leavenworth we marched westward, and in about 120 miles fell on the Oregon Trail, near the 'Big Blue'; continued on that trail to the Nebraska, or Platte river, which we struck near the head of Grand island,—up the right bank of that river to the 'Forks'—up the 'North Fork' to Fort Laramie, which is a trading post of the fur company at the mouth of the Laramie river, and which we reached on the 14th June. Leaving company A in camp, a few miles from Fort Laramie, I proceeded with the other four on the 17th June—continued up the north fork of the Platte—crossed from that river near the 'Red Buttes', to 'Sweet Water'—up that river to a short distance from its source, where we left it and marched by the 'South Pass' of the Rocky mountains to the waters of Green river, or the Colorado of the west, which flows to the Gulf of California and the Pacific ocean.

"Having reached the 'South Pass', the extreme west contemplated in our expedition, we, on the 1st of July, commenced our return; and on the 13th found company A not far from where we had left it on the Laramie river. Taking that company with us, we proceeded south on the following day—marched near the base of the mountains, (passing 'Long's' and 'Pike's' peaks,) reached the Arkansas about 100 miles below Taas [Taos] and about 60 miles above 'Bent's fort', (another trading post of the fur company,)—passed that fort on the 29th of July—commenced our march down, on the left bank of the Arkansas, to near the 'Pawnee fork' of it—from there to the Kanzas, which we crossed about 50 miles from its mouth, and returned to Fort Leavenworth on the 24th August, having been absent from there 99 days; during which time these dragoons had marched at least 2,200 miles through the Indian country—a wilderness; a considerable portion of it a barren one—carrying their provisions and stores with them, their horses subsisting entirely upon the grass afforded by the prairie.

"During our march we met with the Pawnees—with several tribes of the Sioux Indians—with the Cheyennes Arapahoes. They were distinctly told that the road opened by the dragoons must not be closed by the Indians, and that the white people traveling upon it must not be disturbed, either in their persons or property. It is believed that the Indians will remember to observe what has been told to them on this subject.

"During our march we met with no obstacles that were not easily overcome, and with but one accident of a serious result, which was that of a carbine being accidentally discharged by Private Smith, of company G, when the ball shattered his right arm so as to render amputation necessary.

"Every man who left Fort Leavenworth with the command, in May, has returned to his station. We lost about nine public horses and mules, which died of disease, fatigue, and other causes.

"Great credit is due to the officers and enlisted men who composed this command. They have all proven themselves what their ambition is to be—good soldiers.

"From the time of our reaching the Oregon trail, near the 'Big Blue', we continued on it to the 'South Pass', overtaking many of the emigrants the advance of whom we passed at Fort Laramie. The total number this season we found to be about 850 men, 475 women, 1,000 children, driving with them about 7,000 head of cattle, 400 horses and mules, with 460 wagons."

Colonel Kearny added to the foregoing report a few remarks and recommendations. He mentions that "from Fort Leavenworth to the neighborhood of Fort Laramie, we found the soil tolerably fertile", and that "from the neighborhood of Fort Laramie to the South Pass, a distance of about 300 miles, the country is a barren sandy desert". He tells nothing of the appearance of the parts of Colorado he traversed, but goes on to say:

"In lieu of the establishment of a military post in that upper country, I would suggest that a military expedition, similar to the one of this season, be made every two or three years. They would serve to keep the Indians perfectly quiet, reminding them of (as this one proved) the facility and rapidity with which our dragoons can march through any part of their country, and that there is no place where they can go but the dragoons can follow; and, as we are better mounted than they are, overtake them.

"Although we did not see as many Indians on our march as we had desired, yet the fact of our having been through their country is, no doubt, at this time known to every man, woman, and child in it. And as these were the first soldiers ever seen by those upper Indians, and as those who saw them were much struck with their uniform appearance—their fine horses—their arms and big guns, (howitzers,)—it is most probable, in their accounts to those who did not see us, they have rather exaggerated than lessened our numbers, power, and force. . . .

"In marching down the Arkansas we met with several parties of traders going to Taas and Santa Fé; they were getting along without molestation, and without difficulty. We saw no Indians on this river, except some Apaches who reside in New Mexico.

"There are a number of white men from our own States, who have nominally their residence near Taas and Santa Fé, and who come frequently into the Indian country between the upper Arkansas and Platte, between 'Bent's Fort' and 'Fort Laramie,' bringing whiskey with them, which they trade to the Indians; consequently causing much difficulty and doing much harm. This should be prevented; and possibly might, by the appointment of a sub-agent, which I recommend, located at 'Bent's fort', who, under instructions from the War Department, might put a stop to that traffic in that section of country.

"I cannot refrain from repeating, in this place, what I have for many years been convinced of—that the good of the Indians would be much advanced, and the peace of the country much more effectually secured, if Congress would pass a law declaring the whole of the Indian country under martial law. The difficulty of taking persons accused of offenses in the Indian country, with witnesses, to the civil courts, which are so remote, and which sit only at stated periods in the year, renders much of the trade and intercourse law of 1834 inoperative and useless."

In making up his "journal report" of the outing, Adjutant Turner followed his commander's example as to brevity. The most important incident that he records as occurring upon the outward march was a council held at Fort Laramie with "1,200 Sionx", who "were gathered in a few days", their head chieftain being Bull Tail. The Colonel lectured and threatened the assemblage upon the matter of leaving the road open to the emigrants; his advice and warnings being received in good part by Bull Tail and his people. Of the homeward march from Fort Laramie, Lieutenant Turner says:

"On the 14th of July, the command set out for Bent's Fort, distant from Fort Laramie about 400 miles, nearly due south. . . . The command struck the south fork of the Platte on the 20th of July, and after travelling along it for a day or two it was left for Bent's Fort, arriving there on the 29th of July.

"From Fort Laramie to the south fork the country is very barren, without any timber and with but little water. The south fork is timbered with cotton-wood, but the grass is indifferent and the soil generally sandy.

"An evident improvement in the country appeared as the command went south; and along Cherry creek, the soil is represented to be better than any before passed over. Near the head of this stream there is fine timber, and, for one day's journey, a part of the road, six miles in length, led through a pine forest.

"The command travelled near the foot of the mountains on the greater part of this route, and encamped once very near the foot of Pike's Peak, said to be one of the highest points of the whole chain. For want of time no one ascended it.

"The Arkansas river, which was struck about 70 miles west of Bent's fort, is, at this point, well timbered with cotton-wood, but the river bottoms are sandy,

producing some grass, but so dry that it is hardly probable that anything else would grow there.

"Bent's fort is a post built much after the manner of Fort Laramie, (of unburnt bricks,) and for the same purposes. It belongs to Messrs. Bents and St. Vrain, from whom the command received a hearty welcome. A halt, only sufficiently long to take some provisions that had been sent to this fort nearly two years before, was here made. The provisions still were in a perfect state of preservation, not even the rice or hard bread being spoiled; a remarkable evidence of the dryness and purity of the mountain air.

"From this place to the point where the command left the river, the grass was very good; but there was little timber, and the soil was very sandy. The only grass in the country was that on the river, the surrounding hills being almost entirely bare. Buffaloes were plenty and quite fat.

"The distance from Bent's fort to Fort Leavenworth is about 600 miles; and after travelling 200 miles on the Arkansas the command left it where it turns to the south, and keeping along the Santa Fé trail, arrived at Fort Leavenworth on the 24th of August."

Although the route traversed by the expedition up the South Platte led it near to Fort St. Vrain, which had been abandoned recently, the reports say nothing of that post. The course from the mouth of Cherry Creek was up the valley of that stream, and then across the ridge into the valley of the *Fontaine qui Bouille*. From the camp "very near the foot of Pike's Peak", the column turned southeast, reaching the Arkansas River at a point some twenty miles below the mouth of the *Fontaine*.

In the next year, Colonel Kearny again crossed the plains into the land of Colorado, but upon a far greater mission. The troops that constituted the army with which he made his bloodless conquest of New Mexico, in August, 1846, were marched from Fort Leavenworth in detachments, as these were made ready to move, by way of the Arkansas River to an appointed camping-place nine miles below Fort Bent; and when the last of these had arrived there his famous "Army of the West" was brought into actual existence as an organized force and prepared for its invasion of Mexican territory. Advancing from the rendezvous, the army marched southwest and entered New Mexico by way of the Raton Pass. A few weeks later, Colonel Sterling Price's force, which consisted of some seventeen hundred men, coming from the Missouri River by the same route, halted and rested at the place of Kearny's encampment, and then moved into the enemy's country by the same course that he had taken.

The raising of the war-hatchet by the Americans and the Mexicans, and the coming and going of large bodies of white warriors—vastly more in numbers than ever had been seen in the region west of the Mississippi—greatly excited the Indians of the central West and of the Southwest; and it was not long before some of them made ready to take a hand in the disturbance. In the spring of 1847, the Comanches, Kiowas, Pawnees, Osages, and a division of the Apaches began harassing the supply and other trains moving upon the Santa Fé Trail to and from Santa Fé; their bloody and destructive attacks being continued through the following summer and autumn. In the meantime, other bands of Apaches, the Utes, and the Navajos had begun to make trouble in the western and northwesterly sections of New Mexico.

Several detachments from the United States troops in New Mexico were put into the field to deal with these red raiders, and of which some entered the southern parts of the Colorado country in pursuit of bands of

the marauders. But the most effective operations against the hostile Indians were those of a command under Lieutenant-Colonel William Gilpin, who was destined to become Colorado's first Territorial Governor. At the outbreak of the war, he was commissioned a Major of the First Missouri Volunteer Cavalry (Doniphan's regiment), and with which he served in the conquest of New Mexico and in the regiment's historic march to and capture of the Mexican city of Chihuahua. Having returned to Missouri late in the summer of 1847, Major Gilpin was called within a few weeks to take command, with the rank of Lieutenant-Colonel, of an emergency body of Missouri volunteers that had been enlisted especially for the purpose of ending the Indian depredations upon the caravans traveling the Santa Fé Trail; the organization being officially designated as the "Missouri Volunteer Battalion for the Plains". It consisted of three companies of infantry and two of cavalry, to which two or three pieces of artillery subsequently were added; the whole, including teamsters and other civilian helpers, forming a little army of about 850 men. According to the Colonel's report, made at Fort Mann, on August 1, 1848, to the Adjutant General of the Army, after the close of the campaign, his troops were poorly equipped and supplied. He says:

"Lieutenant-Colonel C. Wharton [in command at Fort Leavenworth], who mustered the command into the U. S. service, displayed towards the companies of the battalion and myself the most unrelenting malice. Defective arms, old and bad in quality, were furnished; the camp equipage worn and decayed, and transportation insufficient. Medical supplies were almost entirely overlooked. Time to furnish themselves with clothing was denied the soldiers, and the whole rushed upon the wilderness in a raw and crippled condition."

Nevertheless, the Colonel marched his volunteers from Fort Leavenworth early in October, and on the 1st of November went into camp on the Arkansas River, at the mouth of Walnut Creek.

"By careful inquiry, I estimated the losses sustained from Indian attacks, during the summer of 1847, to have been: Americans, killed, 47; wagons destroyed, 330; stock plundered, 6,500. The greater amount of these losses were sustained by government trains, passing with supplies to and from Santa Fe. . . .

"Such had been the losses sustained from the Pawnees, and from the allied tribes and Comanches and Kiowas, upon the Arkansas and Cimarron, and from the Apaches, upon the Canadian River, further west. Rumors reached me from all directions, that, inflamed by these excesses, an arrangement was negotiating between the latter people, and the powerful tribes of the Cheyennes and Arapahoes (assembled for that purpose upon the upper Arkansas) to carry on the war with their united strength, as the season of 1848 should open."

Colonel Gilpin now resolved to march into the country of the Arapahoes and Cheyennes immediately with a part of his troops. He moved his entire force up the Arkansas to the dilapidated Fort Mann, which stood upon the Santa Fé Trail, near the place where that road crossed the river.

"I placed the three foot companies of my command in garrison at the little stockade of Fort Mann, with orders to repair and enlarge it, and with the two cavalry companies, proceeded in November to the upper Arkansas, and fixed my camp in the midst of the winter residences of the Cheyennes and Arapahoes."

This camping-place was on the north side of the river, near the site of our city of Pueblo, and probably just below the mouth of the Fontaine qui Bouille. The report does not locate it with exactness. The Colonel now goes on to relate:

"Being without provisions and transportation, my command, dismounted for the most part, endured in tents the rigors of the long winter, subsisting the men upon such provisions as could be procured from New Mexico and the Indians, and the horses upon the dead winter grass. The Indians were, however, overawed by this immediate contrast of a military force, abandoned all intercourse with the southern tribes, and invited the Kiowas to withdraw from the Comanche alliance: to unite with them (the Arapahoes and Cheyennes) in pacific relations with the Americans. This has accordingly been effected, and the Kiowa Indians, long the scourge of the borders of Mexico, Taos and this road, [he was writing at Fort Mann, on the Santa Fé Trail, on August 1, 1848] have since then been, and are now, awaiting peace, and residing with the Cheyennes upon the upper Arkansas, near Bent's fort.

"Having with great difficulty remounted my command upon mules, and added to it infantry company E, Captain Koscialowski, and a six-pounder, under First Lieutenant Stremmel, of C company [these had been brought up from Fort Mann], I crossed the Ratone mountains early in March, and visited the frontier settlements of El Moro, New Mexico, to procure provisions and transportation for a campaign against the Apaches and Camanches residing upon the Rio Colorado, or Canadian."

Having obtained supplies and transportation in New Mexico, Colonel Gilpin reunited his forces, and during the next three or four months had eight or nine encounters with the Comanches and their Apache allies on the part of the Santa Fé Trail that traversed southwestern Kansas and northeastern New Mexico, dispersing many bands of the raiders, and killing about two hundred and fifty of them in the various engagements. W. L. Marcy, Secretary of War, in his next annual report, said the operations resulted "in a manner highly creditable to our troops". I quote again from the Colonel's report:

"It will be perceived, then, in what manner so many tribes of Indians, inhabiting an immense and various territory, have been defeated by a single battalion. By the winter march and residence of my cavalry command at the foot of the Rocky mountains, the Kiowas, Cheyennes and Arapahoes were forced to abstain from hostilities. These tribes being cut off and kept in the rear by the subsequent operations during the spring and summer upon the Canadian, Cimaron and middle Arkansas, the Camanches, Apaches, Pawnees and Osages were attacked, defeated and driven off in opposite directions. As neither treaties of peace nor fortified points nor troops now exist to control this numerous cloud of savages, it is clear that all the atrocities of a very severe Indian war may be momentarily looked for, and are certain to burst forth with the early spring.

"The field of operations having been in the middle of the wilderness, the sufferings, privations and hardships, cheerfully borne by the soldiers of my command, have been greater than those of any other battalion in the public service. The continually crippled condition and destitution of supplies caused by the ignorance, the laziness and the vicious character of the officers in the frontier depots, has fatally retarded the pacification of the Indian country, and heaped up unmeasured trouble for the national government.

"I recommended that four stations, provided with adobe buildings and carals, be established: No. 1, near Pawnee Fork; No. 2, at the old (present) [Santa Fé] crossing of the Arkansas; No. 3, at the 'Beautiful Encampment' [the Big Timber]; No. 4, at the Rio Colorado (Canadian). This will cause the road [the Santa Fé Trail] to follow the north bank of the Arkansas to the station No. 3, and pass thence across the head of the Cimaron. I further recommend the purchase of Bent's Fort in connexion with the above, and one additional station at Los Juntas."

In the year 1851, the Comanches again became troublesome, not only to white wayfarers across the plains, but also to some of the Indian tribes of the central region, which had been their allies in 1847. In the spring of 1852, a military force consisting of several companies of mounted troops

of the Regular Army, under the command of Colonel John B. Sanborn, was sent into the West from Fort Leavenworth to menace the Comanches and curb their depredations. Colonel Sanborn proceeded to the Santa Fé Trail and followed that road to the point at which it crossed the Arkansas River. The movement appears to have had the desired effect upon the hostile Indians, as they kept out of reach and refrained from continuing their forays against travelers and wagon-trains upon the trail. From the Arkansas River Crossing, Sanborn presently moved up the river to the mouth of the Fontaine qui Bouille, and thence up the valley of the latter to the "Boiling Springs". After having rested here a few days, he marched his command northward, across the Arkansas-South Platte Divide and down to the mouth of Cherry creek, where he encamped. Continuing his northward march, he proceeded to Fort Laramie, at that time a United States military post, and at which he arrived without having had any noteworthy adventures while on the way.

During the remainder of that decade, small bodies of United States troops occasionally passed between New Mexico and Fort Laramie and Salt Lake City, as well as in the reverse direction; and, with one notable exception—that taken by Captain R. B. Marcy (who later became a General), with sixty-five men, in the winter of 1857-'58—by a route of which a part lay adjacent to our eastern foothills. However, aside from Marcy's march, such military movements across the land of our State were devoid of important historical incidents.

In November, 1857, Captain Marcy, then an officer of the Fifth Regiment of United States Infantry, which formed a part of General Albert Sidney Johnston's army in the "Mormon War", the troops then being encamped at Fort Bridger, was ordered by General Johnston to take forty enlisted men and proceed across the mountains by the most direct route into New Mexico, where he was to procure and bring back supplies for the command. Marcy set out on the 24th of that month, with his soldiers and twenty-five mountainmen to serve as packers and guides; one of the latter being "Old Jim" Baker, a noted frontiersman, who was an interesting figure in Colorado for years after our pioneer period. The guides said the march to Fort Massachusetts (in the San Luis Valley, near the western end of the Sangré de Cristo Pass) could be made in twenty-five days; "but," says General Marcy, in his *Thirty Years of Army Life on the Border* (New York, 1866), "to make sure of having enough provisions, I deemed it wise to take thirty day's supply, which, with our luggage, was packed upon sixty-six mules".

Marcy proceeded from Fort Bridger "down Henry's Fork to its confluence with Green River, where we forded the latter stream, and followed a trail that led us to the foot of the mountains dividing Green from Grand River". After several days of further tramping, the party entered what is now the western border of Colorado, at a point at or near the southwestern corner of our Rio Blanco County; and, continuing in a southeasterly direction, struck the Grand River at the site of our city of Grand Junction and moved up the Gunnison to the mouth of the Uncompahgre. "Thus far our journey had been pleasant, and we had encountered no serious obstacles. Our animals had found abundance of grass, and were in fair condition." A large band of Utes, whom Marcy calls "Digger Ute Indians", was encountered here. Of the purpose and result of an interview with their chief-tain, the General relates the following:

"I endeavored to persuade the chief to accompany us as a guide to the summit of the mountains, and offered him the value of three horses in goods, but he peremptorily refused, saying that he was not yet ready to die, and that, unless we turned back, or stopped and passed the winter with them, we would all inevitably perish. My interpreter asked him if he took us for a set of old women, who would be intimidated by a little snow; and added, that he had always before taken him for a warrior and a man, but now he had discovered his mistake, and he would advise him to go back to his lodge, cover up warm, and assist his squaw in tending the babies; that we were of the masculine gender; we had started to cross the mountains into New Mexico, and we were going to accomplish it at all hazards, and if he did feel disposed to go, we could dispense with his services. This taunt had no effect upon him, however. He persisted in refusing to go with us, saying that all we had would not be sufficient to induce him to attempt the journey. I then asked him how much snow he supposed we would find in the mountains? . . . He was of opinion that we might encounter from four to five feet, and perhaps even more than that. He concluded by saying, 'You may think I do not tell the truth, but if you will only cast your eyes toward the mountains you can see for yourselves that the snow is there'."

Leaving his Indian friends, on December 11th, Marcy moved up the basin of the Gunnison River, heading for the Coochetopa Pass, his course being practically the same as that which Gunnison had traversed westward in the autumn of 1853, and Frémont in the following winter. On the fourth day, the party was floundering through crusted snow so deep that men had to be put in front to break a path for the animals, some of which, enfeebled by the lack of forage, already were giving out and laying down to die. The organization soon became reduced to a condition similar to that of Frémont's, in the San Juan Mountains, in the winter of 1848-49.

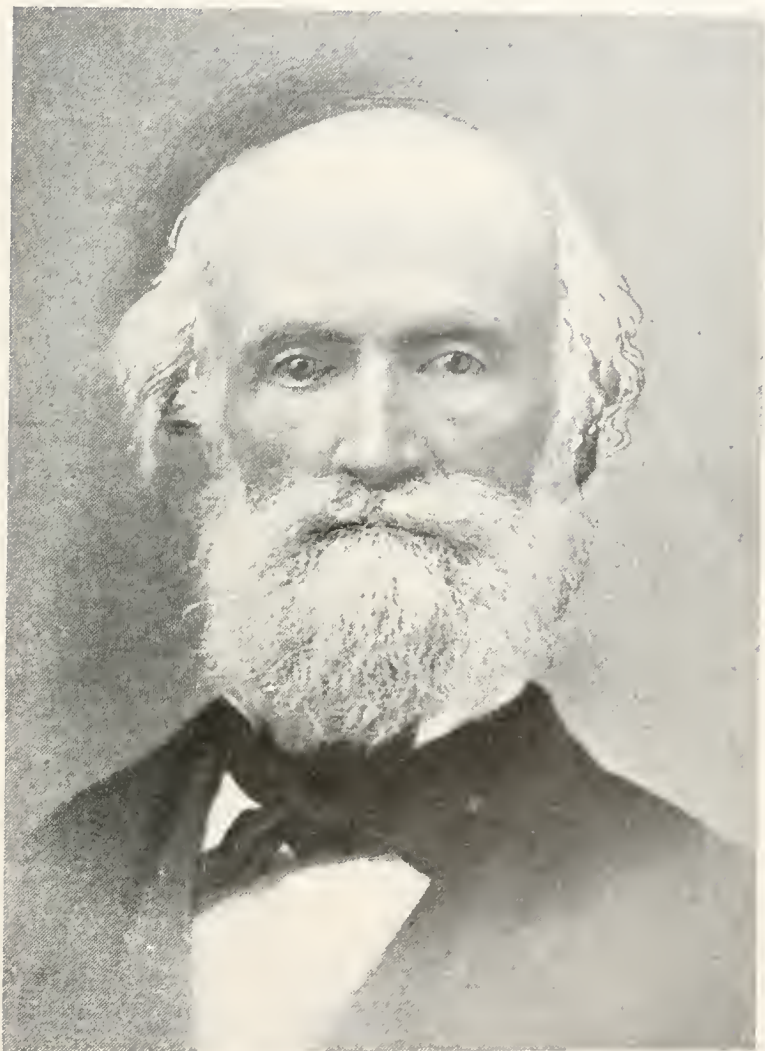
"I was then obliged to cache, or hide, all our surplus luggage, which reduced the weight of the packs very considerably. Notwithstanding this, they [the animals] continued to perish. One day we lost five, and another day as many as eight died out of our little stock. This gave me serious uneasiness, as our supply of provisions was becoming very small, and I knew, after these were gone, our only dependence for subsistence must be upon our famished animals. Our beef cattle had nearly all been consumed, and our stock of bread was very limited. I felt the necessity of husbanding the strength of my men and animals as much as possible. I therefore ordered the command to throw away every article of baggage they had remaining, excepting one blanket each and their arms and ammunition. . . .

"The snow increased day after day as we ascended, until it was four feet deep, and was so dry and light that the men, walking in an upright position, would sink to their waists, and could not move. One of the guides made a pair of snow shoes and attempted to walk upon them, but they sank so deep in the soft snow that it was impossible to use them.

"Our only alternative now, in the deepest snow, was for the three or four leading men of the party to lie down and crawl upon their hands and feet, each man following in the tracks of the leader, and all placing their hands and feet in the same holes. This method packed the snow so that, after a few men had passed, it bore up the others, and was sufficiently firm to sustain the mules after all the men had traversed it. . . .

"Notwithstanding I reduced the rations one half, our provisions were all consumed long before we reached the top of the mountains, and we were then entirely dependent upon our famished animals for food. Our first repast upon the novel regimen was from a colt belonging to Tim Goodale's Indian wife, who accompanied us and underwent the hardships of the trip with astonishing patience and fortitude. . . .

"After this our only diet for twelve days consisted of starved mules as they became exhausted and could go no further. Twelve of my men had frozen their feet so badly as to be unable to walk, and we were obliged to appropriate all our serviceable animals to carry them. I had given up my own horse to one of these men and



ROBERT W. STEELE, GOVERNOR OF "JEFFERSON TERRITORY"

took his place in the snow with the others. We had not a single morsel of anything left to eat except these animals. If we had had some salt we would have done better, but that was all gone. I was in the habit of sprinkling a little gunpowder upon my mule-steaks, and it did not then require a very extensive stretch of the imagination to fancy the presence of both pepper and salt. This lean meat did not, however, by any means satisfy the cravings of the appetite, and we were continually longing for fat meat. Although we consumed large quantities of the mule meat, yet within half an hour from the time we had finished our meals we would feel as hungry as before we had eaten."

Nevertheless, the party pressed onward, wallowing through the snow, toward the Coochetopa Pass, sometimes making but two or three miles between camps. The greater part of one day was wasted by traveling up the slope of the range in the wrong direction, a mistake which doubtless would have proved fatal to every member of the company had the march been continued upon that course. The summit of the pass was reached on the first day of January; but in the meantime the men "had worn out their shoes, and had patched them with mule hides as long as they would hang together, when some of them were obliged to wrap their feet in pieces of blankets or of their coat-tails to keep them from freezing. Many of them had worn out their pants, and their legs were greatly exposed".

From the high point of the pass, Marcy sent forward two of his men, mounted upon about the only animals that were in condition for the ride, to go to Fort Massachusetts and return with some supplies. The remainder of the party continued the march afoot, and on the eleventh day afterward met these couriers riding some fifty miles ahead of the provision-laden wagons which the fort's commandant had despatched to Marcy's relief. Moving onward in the next morning, the famished band met the wagons and went into camp. Although the leader warned his men of the dangers from over-eating, and had limited the first meal to a moderate quantity of soup, some of them, after night came on, managed to abstract sufficient solid provisions with which to gorge themselves. "The next morning found them suffering the most excruciating torture, and one of the poor fellows [Sergeant William Morton] died the next day"—the only death that occurred in the organization.

Now having abundant supplies, and grass being available for the few surviving animals, the ragged and otherwise unkempt company resumed the march; and four days later entered the stockade of Fort Massachusetts, where the needs of every man were supplied in abundance. Of the appearance of his command at that time, General Marcy says:

"As we approached the fort, one of the officers complimented us by saying that he took us for a band of prairie Indians. Not more than one half of the men had any caps, and but few had any remains of trousers below the knees. Their feet were tied up with mule hides, pieces of blankets, coat-tails, etc., and they certainly were rough and ragged-looking specimens of United States soldiers. As for myself, I am confident my own wife would not have recognized me."

Having obtained in New Mexico the supplies required by General Johnston, Captain Marcy left Fort Union in the middle of March upon his return to Fort Bridger, with his soldiers, a large wagon-train, a drove of livestock, and "about one hundred of the best trailers, hunters, and Indian fighters in New Mexico", "intending to pass around the eastern base of the mountains near Pike's Peak, and the headwaters of the Arkansas and Platte Rivers". After crossing the Arkansas River at the site of our city

of Pueblo, he received orders from New Mexico directing him to halt and await reenforcements. Therefore he "went into camp upon the headwaters of a small tributary of the Arkansas called 'Fontaine qui Bouille', directly at the foot of Pike's Peak, and near a very peculiar spring, which gives the name to the stream". His reenforcements reached him late in April, and on the last day of that month, which was "bright, cheerful and pleasant, the atmosphere soft, balmy and delightful", the caravan moved from the peculiar spring, "and at about one o'clock encamped upon the ridge that divides the Arkansas from the Platte Rivers", the halting-place being on Squirrel Creek, near its head. The "large herds of animals were turned out to graze", the men were enjoying their social jokes and pastimes after the fatigues of the day's march, and everything indicated contentment and happiness". Of the unexpected revolution that presently was made in these agreeable conditions, General Marcy relates the following:

"This pleasant state of things lasted until near sunset, when the wind suddenly changed into the north; it turned cold, and soon commenced snowing violently, and continued to increase until it became a frightful winter tempest, filling the atmosphere with a dense cloud of driving snow against which it was utterly impossible to ride or walk. Soon after the storm set in one of our herds of three hundred horses and mules broke furiously away from the herdsman who were guarding them, and, in spite of their utmost efforts, ran at full speed, directly with the wind, for fifty miles before they stopped. Three of the herdsman followed them as far as they were able, but soon became exhausted, bewildered, and lost on the prairie.

"One of them succeeded in finding his way back to camp in a state of great prostration and suffering. One of the others was found frozen to death in the snow, and the third was discovered crawling about upon his hands and knees, in a state of temporary delirium, after the tempest subsided.

"This terrific storm exceeded in violence and duration anything of the kind our eldest mountaineers had ever beheld. It continued with uninterrupted fury for sixty consecutive hours, and during this time it was impossible to move for any distance facing the wind and snow. One of our employees, who went out about two hundred yards from camp, set out to return but was unable to do so, and perished in the attempt.

"The instincts of all our animals, excepting the herds alluded to, led them to seek shelter in a grove of timber near camp, where they were somewhat protected from the fury of the gale. But several antelopes were found frozen upon the prairie after the storm.

"We had with us a flock of sheep, which scattered throughout the timber in every direction during the storm, and afterward were nearly as wild as deer; they, like the insane herdsman, seemed to have lost their senses."

The "Norther" had left about three feet of snow upon the ground, but the rays of the May sun soon dissipated it. Leaving some mounted men to search for the stampeded animals, Captain Marcy again put his outfit in motion, in the morning of May 3d, and arrived at the confluence of Cherry Creek and the South Platte in the evening of the 5th. "We found the river at such high stage", says he, "and so rapid, that we were compelled to encamp here for four days and construct a flat-boat, in which we crossed our entire party." After passing the South Platte, the train and its escort encountered no serious difficulties, and reached Fort Bridger on the 9th day of June.

CHAPTER VIII.

FUR TRADERS AND THEIR TRADING-POSTS IN THE COLORADO COUNTRY.—MAISONNEUVE'S EXPEDITION TO OUR SECTION OF THE ROCKY MOUNTAINS, IN 1799.—SOME MISTAKEN BELIEFS.—FIRST AMERICAN TRADER UPON COLORADO SOIL.—UNFAITHFUL BAPTISTE LA LANDE.—EZEKIEL WILLIAMS AND HIS ASSOCIATES.—MILLER'S PARTY.—PHILIBERT'S COMPANY.—THE UNFORTUNATE ENTERPRISE OF CHOUTEAU AND DE MUNN.—"CHOUTEAU'S ISLAND."—TRADING-POSTS ON THE UPPER ARKANSAS RIVER.—GLENN'S AND FOWLER'S EXPEDITION.—M'KNIGHT'S ESTABLISHMENT.—FIRST "BENT'S FORT."—GANTT AND BLACKWELL.—LE DOUX'S STATION.—THE "PUEBLO."—ITS BUILDERS, APPEARANCE AND REPUTATION.—THE HARDCRABBLE POST.—MASSACRE AT THE PUEBLO.—SECOND "BENT'S FORT," A FAMOUS TRADING-STATION.—THE BENT BROTHERS.—TRADING-POSTS ON THE SOUTH PLATTE RIVER.—ESTABLISHMENTS OF VASQUEZ, SUBLETTE, SARPY, LUPTON, AND LOCKE AND RANDOLPH.—FORT ST. VRAIN, THE "HALF-WAY STATION" BETWEEN FORT BENT AND FORT LARAMIE.—ITS APPEARANCE, WHEN IN RUINS, IN 1846.—CERAN ST. VRAIN.—TRADERS ON COLORADO'S WESTERN SLOPE.—ROUBIDEAU'S POST.—OTHER AMERICAN PIONEERS IN WESTERN COLORADO.—PORTS UINTAH, DAVY CROCKETT, AND FRAEB.—FORT LARAMIE.—THE SANTA FÉ TRAIL.—ITS COURSE UPON COLORADO SOIL.—OTHER EARLY TRAILS.—DECLINE OF THE FUR TRADE.—THIRD "BENT'S FORT."—RELATIONS OF THE TRADERS AND TRAPPERS WITH THE INDIANS.—THE FUR TRADING PERIOD NOT ONE OF DEVELOPMENT.

The far-upper reaches of the Missouri River became very well known by French fur-gatherers from the French settlements in Illinois and from St. Louis in the last half of the eighteenth century, and many miles of the courses of the Platte and Arkansas rivers were equally familiar to them. While it is probable that some of these energetic adventurers had seen the Colorado section of the Rocky Mountains at various times in the last quarter of that century, the earliest definite account known to the present writer of a trading expedition to our mountains in that period is that of the enterprise of Jean de la Maisonneuve and a Swiss associate named Preneloupe.

These men, in 1799, with fifteen or twenty *engagees*, leaving St. Louis in the spring of that year, ascended the Missouri River in boats, laden with trading-goods, to the mouth of the Platte, where they had immediately an active trade with the Indians of that part of the country.

Having sarded their boats back to St. Louis with cargoes of furs and in the charge of some of their men, Maisonneuve and Preneloupe, with ten of their French Canadian *engagees*, six Indian guides, and twenty pack animals well burdened, set out, near the middle of June, for the "Western Mountains". Proceeding up the course of the Platte, they reached the confluence of the North Platte and South Platte rivers in seventeen days. Turning up the way of the South Platte, they came within sight of the mountains in ten more days of travel, and on July 20th arrived at the site of Denver. Here they saw arrayed upon the lowland between them and the foot-hills the encampment of a great body of Indians; and here, also they fell in with a passing party of Spanish dragoons, from Santa Fé. These were commanded by Don Bernardo Burro, and were upon their homeward way from a scouting expedition that had taken them to the North Platte River.

The great body of the American people believed for many years that the western and northwestern parts of the Louisiana Purchase formed a region that was practically unknown by any of their countrymen before Frémont put forth to explore it. It was the common supposition that all previous knowledge of this vast domain by American citizens was limited to the somewhat meager results of the going and coming of Lewis and Clark through its northern section, and to those of the expeditions of Captain Pike and Major Long across the central plains to the mountains in what is now the State of Colorado; Colonel Dodge's being unknown outside of military circles. From the voluminous and fulsome exploitations of Frémont as "the Pathfinder of the Far West", most of the people in the older parts of the United States were given to understand that until he began to search this wide land of plains and mountains its paths were few and hard to find.

Some Americans from Illinois had been trading on the Missouri River before Lewis and Clark ascended that tortuous stream upon their way to the Pacific Coast; and prior to Pike's expedition others had been well up on both the Platte and the Arkansas. It is known that one American had been in the mountain section of Colorado before Pike saw the Rockies, and some French traders from St. Louis doubtless had built cabins upon soil of our State in advance of Long's summer visit to our eastern foot-hills. A great merchandizing business, carried on in fortified posts and stations, large and small, scattered between the northern border of New Mexico and the headwaters of the Missouri, and that gave employment directly and indirectly to hundreds of American citizens and caused the western plains as well as the recesses of the mountains to be seamed by many paths and trails, had reached its prime when Frémont set out upon his first expedition into the Far West. The trans-mississippi fur trade of that period attained relatively a large development within the bounds of Colorado, the trading-posts on the upper Arkansas and the South Platte, together with Fort Laramie, which was located seventy-five miles north of the site of the present city of Cheyenne, Wyoming, forming a chain of business establishments that made this part of the West rather a busy region as long as the trade flourished.

As far as records run, the first American who put foot upon the soil of Colorado was James Purcell, at the time a trader among the Indians in the upper Platte River country, and with whom, as I have mentioned at the close of Chapter III., Captain Pike fell in at Santa Fé. Purcell hailed originally from Bardstown, Kentucky, from which place he went to St. Louis, in 1799. Pike, who seems to have been very favorably impressed by him, says that he was "a man of strong natural sense and of undaunted intrepidity", and also that he was "the first American who ever penetrated the immense wilds of Louisiana, and shewed the Spaniards of New Mexico that neither the savages who surround the deserts which divide them from the habitable world, nor the jealous tyranny of their rulers, was sufficient to prevent the enterprising spirit of the Americans from penetrating the Arcanum of their rich establishments in the New World". In 1802, Purcell and two companions were trapping on the Osage River, in Missouri; but as this venture turned out badly, the Kentuckian joined a French trader who was going in a barge to the Mandan villages on the upper Missouri in the autumn of that year. The Frenchman having supplied him

with some goods, Purcell left the Mandan villages, with an escort of "Pardonca and Kioway" Indians, upon "a trading tour" to the southward; and the summer of 1803 found him on the lower stretches of the South Platte River, the entire party being mounted. Here they were attacked by some bands of Sioux Indians, and, according to Pike's version of Purcell's recital, "were driven by the Sioux from the Plains into the mountains which give rise to the Plate [the South Platte], Arkansas, &c., and it was their sign which we saw in such amazing abundance on the headwaters of the Plate". Therefore, it seems that the trader and his Indian friends fled up the South Platte, and by way of the Platte Cañon reached the South Park, in which they took refuge. After what appears to have been a sojourn in the South Park for some eighteen months, the Indians, knowing they were not far from New Mexico, sent Purcell and two of their number to Santa Fé, "to know of the Spaniards" (again quoting Pike) "if they would receive them amicably and enter into a trade with them". "This being acceded to by the Governor", relates Pike, "the Indian deputies returned for their bands; but Pursley [Purcell] thought proper to remain with a civilized people, among whom a fortuitous event had thrown him, a circumstance which he assured me he had at one time entirely despaired of". The explorer found and left Purcell there working at his old trade—that of the carpenter. It appears that he remained in New Mexico until after the time of Long's expedition, and then went back to the United States. The *Missouri Intelligencer*, a newspaper published in the frontier town of Franklin, Missouri, contained in its issue of April 10, 1824, an article upon the Navajo Indians, written by James Purcell, "for nineteen years a citizen of New Mexico" and who had "lately returned from Santa Fé". Undoubtedly this article was written by Colorado's first American pioneer. The nineteen years of his citizenship in New Mexico corresponds exactly with the date of his arrival at Santa Fé, as he gave it to Captain Pike.

While Purcell was tarrying in the South Park, another trader, who had come to the mountains of Colorado by way of the Pawnee villages and the Platte and South Platte rivers, passed southward along the foot-hills and on to the capital of New Mexico, where he arrived in the summer of 1804. This adventurer was Baptiste La Lande, the unfaithful steward of the Kaskaskia fur-factor, William Morrison, who had entrusted him with a stock of goods for trade. The circumstances and outcome of La Lande's enterprise have been told in my account of Pike's expedition. When the American Captain was upon the way from his fort on the Conéjos River to Santa Fé, in the custody of his Spanish friends, and was stopping for the night at a place which he called the "village of St. John" (San Juan, at the confluence of the Chama and Rio Grande), La Lande, obviously in the character of a spy, presented himself to Pike and attempted to gain his confidence, but instead barely escaped a kicking by the irate Captain. On the next day the Frenchman accompanied Pike's escort to the capital. Although La Lande had sold Morrison's goods at high prices and pocketed the proceeds, he had now become hopelessly insolvent, and therefore nothing could be recovered from him for his confiding and betrayed employer back in Illinois. It is probable that he was born there, as his name appears upon the muster-roll of St. Clair County militia in 1790. It seems that he remained in New Mexico; and at his death, according to a Mexican historical authority, "left much property and many descendants". His em-

ployer was the grandfather of the late William M. Morrison, of Illinois, who was a conspicuous figure in our national affairs a few years ago.

Other traffickers classed as Americans were trading among the Indians of the central plains before Pike set out upon his expedition to the Rocky Mountains. The reader will recall that the commander of the Spanish military force which was sent from New Mexico to intercept Pike, made captives, as the latter relates, "of all the traders he found", and took them to Santa Fé. Pike met some of these while he himself was in Spanish custody.

During the interval between the time of Pike and that of Long, a large number of traders and trappers, American and French, entered the Far West, one party, of about sixty-five men, under the leadership of W. P. Hunt, going to the Pacific Coast in the year 1811. The Pike's Peak region received a full share of such adventurers, but of these the names of only a few have come down to use.

Ezekiel Williams, a noted early fur-gathering frontiersman of the West (who was at home when in Cooper County, Missouri), and nineteen others of his calling, appeared in the land of Colorado in the autumn of 1811. Having come across-country from the upper Missouri to the South Platte, they went on to the Arkansas, on which stream they put in the following winter, in the vicinity of the foot-hills. It may be that they built for themselves a habitation for that season somewhere near the locality of our city of Pueblo, but if so no record of it has survived. As Indians made trouble for them there in the spring of 1812, "robbing and harassing the company in every quarter", they moved up to the headwaters of the South Platte early in the summer. Here the party divided, half of the men going westward across the mountains, and also disappearing from the narrative. Shortly afterward, the others returned to the Arkansas, and presently four of them, including David Spencer and James Workman, detached themselves and struck out for Santa Fé. Six now were left on the Arkansas—Williams, three other Americans, one of whom was named Chaplain, and two Frenchmen. These turned to trapping in the foot-hills, and becoming separated, three, whose names are unknown, soon were killed by some Arapahoe Indians. The three survivors, Williams, Chaplain, and one of the Frenchmen, named Parreau, later found refuge in a village of Arapahoes on the Arkansas, probably at the Big Timber, the chieftain of which took them under his personal protection, and where they "passed a wretched winter, filled with despair of ever being able to return home". As spring approached, Williams resolved to make an attempt to go home, but his two companions decided to stay with the Arapahoes, their chief having told them that the Indians below certainly would kill them at sight. Having cached his furs at the village, Williams set out on March 1st in a rude canoe to paddle his way down the Arkansas. After many hardships and frequent delays, including some weeks of captivity among the Kansas tribe of Indians, he arrived at his home at the end of the ensuing summer.

The adventures of Williams and his party formed the basis of David H. Coyner's book, *The Lost Trappers*, first published in 1847, and of which the greater part has been proved to be a gross fabrication.

It is probable that five other Americans, Joseph Miller, — Cass, John Hoback, Edward Robinson, and Jacob Rezner were within the bounds of Colorado in the year 1812. Having severed themselves from W. P.

Hunt's company, at Fort Henry, on the headwaters of the Snake River, in Idaho, these men roamed southward, trapping as they traveled, and appear to have reached the Great Salt Lake. Here they turned and moved east "for several hundred miles", when they encountered a band of Arapahoe Indians, who plundered them of much of their property. After wintering in the locality of this misfortune, and being again robbed by Arapahoes, they reversed their course and went in the direction of Utah. About this time Cass disappeared. Some of the party afterward said he deserted them; others told that he was killed by the Arapahoes. In August, Miller and his three companions were found in a state of starvation by Robert Stuart and his associates, who were en route from the Columbia River to St. Louis.

In the spring of 1814, a St. Louis trader named Phillebert, with eighteen hired French trappers, went to the Rocky Mountains in Colorado upon a fur-gathering expedition; the band being known historically as "Phillebert's Company". It seems that they had a very successful season, as the leader and some of his men returned to St. Louis late in that year to "get a supply of goods to enable him to buy horses to bring in his furs", which for the meantime he had cached on the upper Arkansas. Those of his force whom he had left behind were to rejoin him on the Arkansas, at the mouth of the Huerfano River, upon his return. It has been said that these, after having waited for him until the autumn of the following year, when their essential supplies were about exhausted, went to Taos, New Mexico, there to remain through the following winter. It is true that they went to Taos, but the probability is that the Spaniards rounded them up and took them there.

Ezekiel Williams and two comrades, Braxton Cooper and Morris May, accompanied Phillebert's party to the mountains to recover the furs Williams had cached at the Arapahoe village on the upper Arkansas, and also to learn what had become of Chaplain and Partean. Upon their arrival at the village, the Indians told them that the two men, several months after Williams had departed on his way homeward in the previous year, had started across the plains with eleven horses carrying their furs, and that it had been reported that a band of Crow Indians later had found the mutilated bodies of two white men, which the Arapahoes supposed to have been those of Chaplain and Partean. Williams then exhumed his furs, and in company with Cooper, May, and one of Phillebert's men, went back to the Missouri River. Thereafter we hear no more of him in the primitive annals of the Colorado country, but he is known to have conducted a wagon-train to Santa Fé, over the Santa Fé Trail, in the spring of 1827.

In the summer of 1815, Auguste Pierre Chouteau and Jules de Munn formed at St. Louis a partnership for trading in the Far West, around the headwaters of the Platte and Arkansas rivers. In the fore part of September of that year, they set out for the Colorado mountains with, according to Dr. James' understanding, forty-five hired Frenchmen in their company; and with them went Phillebert, who was going forth to bring in the furs he had collected in the year before. While on the plains, Chouteau and De Munn struck up a bargain with him under which they took over his outfit and also the services of those of his men whom he had left on the upper Arkansas. The traders, still accompanied by Phillebert, proceeded up the Platte, and then up the South Platte to a place a few miles above the site of Denver, where they held a "grand council" with the Indians of

the country 'round-about, and of which Dr. James tells in a quotation I have made from his narrative of Long's expedition—his "Grand-camp creek", on which the council convened, probably having been, as I have remarked, our Bear Creek.

After the council, the company moved to the confluence of the Arkansas and Huerfano rivers, where Phillebert's men were expected to be found, arriving there on December 8th. The leaders having been told by Indians that these men had gone to Taos, it was decided that De Munn should go to New Mexico in search of them and also to obtain from the Governor (Alberto Maynez, who bore the title of "Civil and Military Governor"), of the Province permission to hunt and trap upon Spanish territory on the southward side of the upper Arkansas and also on the headwaters of the Rio Grande. De Munn found Phillebert's men at Taos, where they had been having a good time; and he was politely received at Santa Fé. As the suspicions that had been quickened by Pike's operations, and as the undetermined southwestern boundary of the Louisiana Purchase still was causing the relations between the United States and Spain to be uncomfortably strained, the Spanish authorities at Santa Fé were watchful against American intrusion into what they deemed to be their territory. Therefore, the Governor, professing to have no authority in such a matter, declined to grant the privilege, but said he would recommend it to his superiors. De Munn, taking Phillebert's men with him from Taos, then returned to his associates in camp at the mouth of the Huerfano.

It was now determined that De Munn should go to St. Louis for additional supplies and equipment and a reenforcement of trappers. On February 27th (1816), he, Phillebert, and one of the latter's men started upon this journey, which they are said to have made in forty-five days, and with which Phillebert drops out of the story. It had also been arranged that late in the spring Chouteau and the employees should take the accumulated furs to the mouth of the Kansas River, and there meet De Munn as he was upon his return. This plan was executed; the furs were forwarded to St. Louis, and in the middle of September the party, with the recruits and replenishing supplies, again were at the mouth of the Huerfano. A few days later, the company moved southwest and made camp at the base of the Sangre de Cristo Mountains, from which halting-place De Munn started for Santa Fé to learn the fate of his request for a license to gather furs upon Spanish territory.

But in the meantime, Governor Maynez had been succeeded by the arbitrary Pedro Maria de Allandé, who was unfriendly to everybody and everything identified with the United States. De Munn was not permitted to enter Santa Fé, but was ordered immediately to withdraw his people from Spanish soil. The entire party then returned to the Arkansas, and remained on that river through the ensuing winter, but continued to hunt on both sides of the stream, regardless of the international boundary.

Early in the spring of 1817, the persistent De Munn again went to Taos, with the purpose of making another attempt to reach Santa Fé to see the new Governor about the desired license. He was taken into custody at Taos and sent back to the Arkansas under an escort of 200 Spanish troops. Governor De Allandé had heard, or pretended to have heard, that instead of a band of fur-gatherers there were 20,000 Americans on the upper Arkansas, and that these had built there a strong military fortifica-

tion—as in the case of Pike on the Rio Conéjos. The commander of De Munn's escort was to see if this report were true; and if it were false he was to conduct the Chouteau-De Munn company well down on the Arkansas and there start the outfit back to the Missouri River. The story of the twenty thousand and the fort having been proved untrue, the commander was persuaded to await further advices from the Governor, who finally consented to leave the French-Americans undisturbed so long as they confined their operations to the northward side of the Arkansas.

Chouteau and De Munn now decided to cross the mountains and go to the country of the Columbia River. An attempt was made to get over the range, but it failed because of the depth of the snow. So the party turned back, and the leaders again changed their programme. De Munn with an escort was to go to St. Louis with the stock of furs, while Chouteau and the rest of the men should continue the operations on the headwaters of the Arkansas and of the South Platte. De Munn fixed May 23d as the date of his departure, but there was some delay in making ready.

On the next day, a troop of Spanish dragoons appeared with orders at once to conduct the traders and their men, with their horses, furs, goods and supplies, to Santa Fé—after the manner of Captain Pike's capture. As resistance would have been futile, the Frenchmen yielded. When they arrived at Santa Fé their property was confiscated and they were placed in close confinement, some in fetters, and so were kept for nearly two months, when they were tried by a court-martial, which confirmed the confiscation of their property and ordered them to get out of New Mexico immediately by the shortest route: each man being given a horse upon which to hasten his exit.

The discomfited Frenchmen left Santa Fé without delay, and turned up at St. Louis in the fore part of September. If they ever obtained any redress, there is no known record of it.

Of the circumstances of their trial by the court-martial, De Munn, in a letter written on November 25, 1817, to William Clark (the explorer), Governor of Missouri Territory, related the following:

"After forty-eight days' imprisonment, we were presented before a court-martial composed of six members and a president who was the governor himself [De Allande]. Only one of the six members appeared to have any information, the others not even knowing how to sign their names. Many questions were asked, but particularly why we had stayed so long in Spanish dominions. I answered that, being on the Arkansas river we did not consider ourselves in the domains of New Spain, as we had a license to go as far as the headwaters of said river. The president denied that our government had a right to give such a license, and entered into such a rage that it prevented his speaking, contenting himself with striking his fist several times on the table, saying, 'Gentlemen, we must have this man shot'.

"At such conduct of the president I did not think much of my life, for all the members were terrified in his presence, and unwilling to resist him; on the contrary [were ready] to do anything to please him.

"He talked much of a big river that was the boundary line between the two countries, but did not know its name. When mention was made of the Mississippi he jumped up saying that that was the big river he meant: that Spain had never eeded the west side of it. It may be easy to judge of our feelings to see our lives in the hands of such a man.

"That day the court did not come to any determination, because the president (as I heard him say to Lieutenant de Arce) had forgotten everything he had to say. Next day we were again presented to the court, but as I knew the kind of a man we had to deal with, I never attempted to justify myself of any of his false

assertions. We were dismissed, and Mr. Chouteau and myself put in the same room.

"Half an hour afterward the lieutenant came in with a written sentence; we were forced to kneel down to hear the citure of it, and forced, likewise, to kiss the unjust and iniquitous sentence that deprived harmless men of all they possessed—of the fruits of two years' labors and perils.

"What appears the more extraordinary is that the governor acknowledged to me afterward in the presence Don Pedro Piero, the deputy of New Mexico to the Cortes, and several others, that we were very innocent men; yet notwithstanding this, all our property was kept and we were permitted to come home, each with one of the worst horses we had."

While there is no record of them, there is every probability that the Chouteau-De Munn organization put up some structures somewhere on or near the upper Arkansas, as it does not seem likely that the Frenchmen would have so long remained there without cabins. De Allandé's story about the fort may have grown out of an Indian account of the log huts occupied by the party.

It is probable that Major Long's French guide, Joseph Bijean, had been a member of this company, and that he had ranged the Pike's Peak country even before the coming of Chouteau and De Munn. While Dr. James does not connect him with the unlucky French enterprise, he says that Bijean "had formerly been resident in these regions, in the capacity of hunter and trapper, during the greater part of six years"; that "he had traversed the country lying between the north fork of the Platte and the Arkansas, in almost every direction"; and also that "his pursuits often lead him within the Rocky Mountains, where the beaver are particularly abundant". Bijean pointed out the Huerfano to Long and his companions as the stream up which the Chouteau-De Munn people were taken upon their march to Santa Fé.

"Potera", the name that Long's expedition found applied to an affluent of the South Platte (believed to have been St. Vrain Creek), may have been from that of a member of this company. In the fore-part of that century, there were French rangers of the West having the surname "Potra", which might easily be rendered "Potera". Yet there is a chance that the latter may have been derived from "Parteau", the name of one of the Frenchmen who were with Ezekiel Williams in 1811-12. In all probability, the French name of our Fountain Creek, "*Rivière de la Fontaine qui Bouille*" ("River of the Boiling Spring", from the Manitou springs), or, as Frémont more accurately called it, "*Fontaine qui Bouit*", was bestowed upon the stream by Chouteau and De Munn or some of their men.

Neither Chouteau nor De Munn appears to have returned to the Pike's Peak region for trade. In the past I shared the belief that the former, some twelve years after his rough experience with the Spanish authorities of New Mexico, built a trading-post upon an island in the Arkansas River, about fifty-five miles east of the eastern line of Colorado, and which for long was called "Chouteau's Island". But it is now known that he did not have a post upon the island, and that it received his name from another circumstance. When, in the spring of 1816, he and his men were going to the mouth of the Kansas River with their furs and to meet De Munn returning from St. Louis, they were attacked by a large band of Pawnee Indians. The Frenchmen retreated to the island, upon which they effec-

tively defended themselves and drove off the Pawnees. Hence the name.

After that of the coming and going of Chouteau and De Munn, there is no known record of any other American citizens having halted in the land of Colorado before the winter of 1821-22. From that time until past the middle of the century the general vicinity of our city of Pueblo was almost continuously a resort of fur-gatherers and some other adventurers in the Pike's Peak country. The locality seems to have been exceptionally inviting to them. As the reader will recall from a preceding chapter, it was probably somewhere near, if not upon, Pueblo's site that a party of French traders put up a building earlier than the year 1763. So far as known, this was the first habitation erected by white men in all the Colorado region; although it is possible that Spaniards may have been earlier builders upon Colorado soil.

In September, 1821, "Colonel" Hugh Glenn, of Cincinnati, and "Major" Jacob Fowler, of Covington, Kentucky, with eighteen employees, left the former's trading-post, which he had established a few years before on the Verdigris River near its confluence with the Arkansas, on a commercial expedition to Santa Fé, carrying their goods upon pack-horses. Fowler kept a journal of the party's operations day by day, and which has been published (*The Journal of Jacob Fowler*, New York, 1898). While the Major's record is an extraordinary example of indifference to the common rules for using the English language, it is an interesting and valuable contribution to the early history of the Far West.

The company followed the course of the Arkansas River, upon its northward side, and entered the bounds of Colorado on November 5th. Passing on up the river, without unusual incidents, but finding "Buffelow Plenty", the traders crossed to the south side and encamped at the mouth of the Purgatory on the 13th. Here, within an hour or two, one of the men, Lewis Dawson, was attacked by a grizzly bear and so badly hurt that he died on the third day after. From this tragic circumstance, Fowler named the Purgatory "White Bair Crick". Having buried Dawson, the march up the Arkansas was resumed on the 16th. Four days later, the party, now upon the north side of the river, came to a large encampment of Indians—Comanches, Arapahoes, Kiowas, Cheyennes, and Snakes—a few miles east of the site of the present railway station of Nepeta, in the eastern part of Pueblo County. Fowler says that "by night We Ware a large town Containing up Wards two Honderd Houses [tepees] Well filled With men Wemon and Children—With a great nombr of dogs and Horses So that the Hole Cuntry to a great distance Was Coverd". Excepting the Comanches, who threatened to make trouble, but presently were appeased by some gifts, all were friendly: the Arapahoes effusively so. Unlike the conditions found by Major Long, in the previous year, the upper Arkansas country now was swarming with red people.

It was not until December 25th that the Americans left the vicinity of the Indian encampment and proceeded up the Arkansas. On the 28th, "We moved about 12 oclock and Went five miles up the River and Camped on the South Side". This halting-place appears to have been near the mouth of the St. Charles. Two days afterward, a caravan of some sixty Mexican traders among the Indians, and who were upon their way home, appeared and made camp close by the Americans.

Colonel Glenn now decided to leave Fowler here with the goods and

most of the party, while he and some of the men should go to Santa Fé in company with the Mexican traders to learn the condition of affairs in the settled parts of New Mexico. Of the Colonel's departure and of what was done in the camp during the next few days, I quote the following from Fowler's picturesque journal, and which the reader may make more intelligible by substituting in frequent instances the word "they" for the journalist's "the":

Jany 2nd 1822 this morning the Spanierds Began to Collect their Horses and load for their departure—Conl glann and four men Set out With them—leaveing me With Eight men [several were absent on a hunt] in an oppen Camp With the ballence of the goods after takeing Some things With Him to Sell So as to pay their Exspencees. We are now In the Hart of the Inden Cntry and Emedetly on the great Ware [war] Road—not only of one nation against the others—in the road to all the Spanish Settlements With Which the Indeans on this Side of the mountains are at War—So that our Setauion is not of the most Plesent kind—We Have no meet In Camp—and Con Clude to Send two Hunters out With Horses in the morning to kill Some meat Intending to Set the ballence of the Hands at Work to build a Hous and a Strong Peen [pen] for the Horses at night

"Jany the 3rd 1822 Roas Early to Start the Hunters ordered two of the men to Prepare the Horses While the Hunters got Ready—but the men lay Still I maid the Second Call but With no better Suesees—I then discovered that a mutney Was Intended—and Emedetly drew one of the men from His beed by the top of His Head. but [some] of his frends in the Plott asisted Him—and We Ware Soon all In a Scoffel. but Robert Fowler [the Major's brother] Soon Came to my asistance—and the bisness as Soon Ended—tho it Was Some time before the gave up their Intended muteney and five of them Separated to them Selves and declared the Wold do [as] the plased and Wold not be ordered by any other person—I soon discovered that the Exspected the Spanierds Wold not let Conl glann Return and that they Intended to make the best of the goods the Cold—aledgeing the Ware the Strongest party and that the Wold pay them Selves—on Which discovery I told them that un less the Wold Return to their duty I Wold send for the Arrapoho Cheef Who Wold be gld to asist me to take Care of the goods and that the might go Where the plased—and that I Wold not Suffer them to meddle With the goods—the then Held a Councle and sent one man to tell me that if I Wold be accountable to them for their pay—the Wold go to their duty and do What I ordored them—to Which I toled them I wold make no new Bargaen With them—and that If the Chose the might go on With their mutenous Seen—that I Cold protect the goods till the Indeans Came for Which I Wold Soon Send—the then all Came and Stated that the Wold do What I told them and Wold go to Work Emedetley—and asked me to think of them and Secure the pay for them If Conl glann Shold not Return Which the Espected He never Wold. and that it Wold be Heard [hard] for them to loos all their Wages—to Which I toled them if the Continued to do as good and Honest men aught that as fare as the goods Wold Reeeh they Shold be paid—the two men Went out to Hunt but Returned With out killing any thing—now all Hands Went to Worke Willingly and by night We Head the Hors Peen finished and the Hous With two pens four logs High—Which maid part of the Hors Pen and the door of the Hous in the Hors Peen Which Was So Strong that a few Indeans Cold not take the Horses out With out Choping Some of the logs—and must Waken us all tho We Slept Ever So Sound—

"Friday 4th Jany 1822 Went to Work Early got our House nine loggs High—and began to pitch the tents on the top by Way of a Roof the House Just Wide Enof for that purpose . . .

"Saturday 5th Jany 1822 . . . this day finished our House and Packed in all the goods"

By the middle of the month, not having heard from Glenn, although the time had been short, and having become uneasy in his position upon the south side of the Arkansas, Fowler decided to abandon it and occupy

another, farther up and on the north bank of the river. Of this change of base, he tells, in his "simplified spelling":

"tuesday 15th Jany 1822 . . . I then Went to look out a good Setnation for a new Settlement on the north Side of the River—Intending to move tomorrow Should no acoumpt Reach us from Conl glann—as We began to Sopose He Is now not at livery to send or Return there being the full time Elapsed in Which He promised to Send an Exspress—and We think that a party of Spanirds may be Sent to take us prisnors—for Which Reason Intend making a Strong Hous and Hors Pen on the Bank of the River Wheare it Will not be In the Powe [power] of an Enemy to aproeh us from the River Side—and Shold the Spanierds appeer In a Hostill manner We Will fight them on the Ameraken ground. the River Hear being the line by the last tretey—

"Wensday 16th Jany 1822 moved Camp Early up the River on the north Side to the Spot I looked out yesterday—We Built a Strong Hors Peen and put up the Horses at night—no Word from Conl glann—We begin to Conclude as Is not Well Him [that not all is well with him]

"thorsday 17th Jany 1822 . . . no Word from Conl glann We Intend building a Hous tomorrow . . .

"Friday 18th Jany 1822 . . . We built the Hous With three Rooms and but one out Side door and that Close to the Hors Pen So that the Horses Cold not be taken out at night Without our knoledge We got the Hous Seven logs High and Well Chinked the goods al stoed a Way before night . . ."

The new buildings were upon the site of the city of Pueblo, on the left bank of the Arkansas and probably a little to the east of the mouth of Fountain Creek.

But the second "Strong Hous and Hors Pen", like the first, were not long in use. Colonel Glenn had found that the Mexican Revolution had finally overthrown Spanish rule, and that public feeling in New Mexico toward Americans now was cordial. Messengers from him arrived at Fowler's "new Settlement" on January 28th with advices which instructed him at once to proceed into New Mexico. Since the Colonel's departure, Fowler had had no serious trouble, the greater part of the time and energies of his men appearing to have been applied to the care of the horses—pasturing them by day and guarding them in the pen at night. Some mischievous Indians had visited him, but had been bluffed into fair behavior.

On January 30th, Fowler with his men and goods started to join his partner, leaving his buildings to take chances with the Indians and the elements. Guided by Glenn's couriers, he arrived at Taos on February 8th, and was met there by the Colonel. Their venture was terminated profitably, and on June 1st (1822) they set out for the United States, crossing the southeastern part of Colorado upon their way to the Arkansas River, and making the entire journey without mishap.

Shortly after the passing of Glenn and Fowler, a Missouri trader named John McKnight built a small trading-post on the upper Arkansas. Nothing more definite about its location is known, but it is probable that the building was at no great distance from the site of Pueblo. McKnight was killed near his post by Comanche Indians in the spring of 1823, and after his death the station was abandoned. The only record of his enterprise and fate is contained in a paragraph in the issue of the *Missouri Intelligencer* of August 12, 1823. The "deserted trading establishment" passed by Coloned Dodge's command on August 1, 1835, may have been his.

The next traders who established themselves in a trading-post upon

Colorado soil were Charles, William W., Robert, and George Bent, of St. Louis, the first two of whom also were pioneers in the traffic to and from Santa Fé over the Santa Fé Trail. In 1826, they built a small station upon the north bank of the Arkansas, somewhere about half way between the site of Pueblo and the foot-hills. The structure is understood to have been a stockade, made by setting logs shoulder to shoulder upright in the ground—a close, high and heavy picket-fence—which enclosed the storage- and living-quarters. It appears that Ceran St. Vrain, a young Frenchman, also of St. Louis, was associated with the Bent brothers in the enterprise as a partner. As we shall see a little further along, this post, which seems to have had no distinctive name, was deserted a few years later and left to go to ruin.

In 1832, two very successful fur traders from St. Louis, Gantt and Blackwell, erected a small trading-post on the upper Arkansas, and which probably was a structure of logs. Previously they had been operating on the Platte and North Platte rivers, and Gantt had become a favorite among the Arapahoe and Cheyenne Indians. It has been said that their fort on the Arkansas was located upon the left bank of the river, five or six miles above the mouth of Fountain Creek. But a map (*The North-west Coast of North America and Adjacent Territories*) “compiled and published by order of the Senate of the United States”, in 1838, and which is fairly accurate in all its other details, places the post upon that bank of the river, a few miles below the mouth of the Fountain; the place being only a short distance beyond the present eastern limits of the city of Pueblo. Perhaps its site has been confused with that of the Bents’ primitive trading-station, which was near the location that has been assigned by some to the establishment of Gantt and Blackwell. Upon the map referred to their post is named “Gant’s Ft”. Further than the foregoing, the history of this fort is obscured, and therefore I have been unable to ascertain how long it was occupied. It may have been abandoned before the time the mentioned map was issued. The Gantt of this partnership was the “Captain Gantt” who was the guide of Colonel Dodge’s expedition.

In the year 1892, while workmen were laying water-pipes in Union Avenue, near the Arkansas River, in Pueblo, they uncovered some human bones and also several logs that evidently had been parts of a building. Whether these were relics of the fur-trading period or of later origin could not be determined. It was thought by a number of citizens that Pike’s breastwork had come into light, a supposition that was entirely out of the question. However, the logs may have been remains of some structure built and used by fur traders. Since the founding of Pueblo, the course of the river through the city has been changed considerably.

It is known that there were several trading-houses on the upper Arkansas, between the years 1830 and 1845; and doubtless there were others, built for temporary purposes, and of which there is no record.

In 1830, a French trader named Maurice Le Doux, who is said to have hailed from Detroit, erected quarters for himself and his business at the confluence of Adobe Creek and the Arkansas, in what is now Fremont County. Shortly afterward, some Mexicans located near it and engaged in tilling the soil in a small way. According to a story of a fracas between Arapahoe and Ute Indians, Le Doux was occupying his post as late as 1838. In that year, as the tale runs, a band of Arapahoes went to his station to

seize and carry off a Ute squaw who was harbored there. The trader, with French tact, held them off in parley, and in the meantime sent a runner to a party of Utes encamped not far up in the Wet Mountain Valley. These at once came down to the fort at good speed, fell upon the Arapahoes, and after killing some of them put the rest to flight. The innocent cause of the rumpus was left with Le Doux unharmed by the enemy.

At this time there was a small number of Mexicans squatted here and there on the Greenhorn and Huerfano rivers, in what is now our Pueblo County; but it appears that they did not long remain there. In 1840, the Bent brothers, Ceran St. Vrain and others started a settlement, mostly of Mexicans, on Adobe Creek, expecting it to become permanent. However, it proved a failure and was abandoned in 1846.

The fort built by Gantt and Blackwell near the mouth of Fountain Creek was succeeded by the famous, and sometime notorious, "Pueblo", a walled trading-post constructed of adobe, and of which remains survived until after the founding of the city of Pueblo. While it is evident that the post was erected in the year 1842, there is some uncertainty as to its builders. George Simpson, a trader among the Indians, who became a well-known and worthy pioneer of Colorado Territory, maintained that he and two other frontiersmen, named Doyle and Barclay, constructed it in the spring and summer of that year. But James P. Beckwourth, a noted frontier character, who had been in the Rocky Mountain country since 1825, and who lingered in it, in the vicinity of Denver until after the outbreak of our Civil War, disputed the honor with Simpson. In T. D. Bonner's *Life and Adventures of James P. Beckwourth*, "written from his own dictation", the hero of the book makes the following specific statement as to the origin of the Pueblo:

"We reached the Arkansas about the first of October, 1842, where I erected a trading post and opened a successful business. In a very short time I was joined by from fifteen to twenty free trappers with their families. We all united our labors and constructed an adobe fort sixty yards square. By the following spring we had grown into quite a little settlement, and we gave it the name of Pueblo."

Beckwourth made the same statement in Denver in the year 1860, but the probability is that there is not a word of truth in it. He was known everywhere from the Arkansas to the upper reaches of the Missouri as a chronic and unmitigated liar as to his adventures and achievements. His career truly was a "checkered" one. After some service with master-traders in the northern country, he joined the Crow Indians and was made a chieftain in that tribe of rascals. In later years he abandoned them and returned to white associations, roving hither and yon over the Great West. Simpson was a different type of frontiersman: a trustworthy and unassuming person. We risk little in believing that he and his partners were the builders of the Pueblo. Beckwourth may have thrust himself into the Pueblo community after the fort had been built.

A small but motley collection of Mexicans and Americans were in harbor at the mouth of the Fountain in 1840, and some of these were lingering there in the year in which the Pueblo was constructed. Frémont, who passed the post in 1845, when upon his second expedition, thus refers to it and its occupants at that time in his *Memoirs*:

"Continuing down the river [Fountain Creek], we encamped at noon on the 14th [of July] at its mouth, on the Arkansas river. A short distance above

our encampment, on the left bank of the Arkansas, is a *pueblo*, (as the Mexicans call their civilized Indian villages,) where a number of mountaineers, who had married Spanish women in the valley of Taos, had collected together, and occupied themselves in farming, carrying on at the same time a desultory Indian trade. They were principally Americans, and treated us with all the rude hospitality their situation admitted."

The historian, Francis Parkman, who, in company with Quincy Adams Shaw, visited the Far West in 1846—a journey which he made memorable by his interesting book, *The Oregon Trail* (Boston, 1847,)—arrived at the Pueblo late in August of that year, when homeward bound, having come from Fort Laramie by way of the site of Denver. Of the surroundings, appearance and condition of the post, and of the character of its inhabitants, in that summer, he tells the following in his story of his travels:

" . . . After an hour's ride we reached the edge of a hill, from which a welcome sight greeted us. The Arkansas ran along a valley below, among woods and groves, and closely nestled in the midst of wide corn-fields and green meadows, where cattle were grazing, rose the low mud walls of the Pueblo. . . . We approached the gate of the Pueblo. It was a wretched species of fort, of most primitive construction, being nothing more than a large square inclosure, surrounded by a wall of mud, miserably cracked and dilapidated. The slender pickets that surmounted it were half broken down, and the gate dangled on its wooden hinges so loosely, that to open or shut it seemed quite likely to fling it down altogether. Two or three squalid Mexicans, with their broad hats, and their vile faces overgrown with hair, were lounging about the bank of the river in front of it. They disappeared as they saw us approach; and as we rode up to the gate, a light active little figure came out to meet us. It was our old friend Richard [a trader from Fort Laramie]. . . . Shaking us warmly by the hand, he led the way into the area. Here we saw his large Santa Fe wagons standing together. A few squaws and Spanish women, and a few Mexicans, as mean and miserable as the place itself, were lazily sauntering about. Richard conducted us to the state apartment of the Pueblo, a small mud room, very neatly furnished, considering the material, and garnished with a crucifix, a looking-glass, a picture of the Virgin, and a rusty horse-pistol. There were no chairs, but instead of them a number of chests and boxes ranged about the room. There was another room beyond, less sumptuously decorated, and here three or four Spanish girls, one of them very pretty, were baking cakes at a mud fireplace in the corner. They brought out a poncho, which they spread upon the floor by way of a table-cloth. A supper, which seemed to us luxuriant, was soon laid out upon it, and folded buffalo-robcs were placed around it to receive the guests. Two or three Americans besides ourselves were present. . . . When we took leave of Richard it was near sunset. Passing out of the gate, we could look down the little valley of the Arkansas; a beautiful scene, and doubly so to our eyes, so long accustomed to deserts and mountains. Tall woods lined the river, with green meadows on either hand; and high bluffs, quietly basking in the sunlight, flanked the narrow valley. A Mexican on horseback was driving a herd of cattle towards the gate, and our little white tent, which the men had pitched under a tree in the meadow, made a pleasing feature in the scene. When we reached it, we found that Richard had sent a Mexican to bring us an abundant supply of green corn and vegetables, and invite us to help ourselves to whatever we wanted from the fields around the Pueblo."

Frederick Ruxton, who was at the Pueblo in 1847, upon his way back from New Mexico to the States, thus describes the building and its tenants in his *Life in the Far West*:

"The Pueblo is a small square fort of adobe with circular bastions at the corners, no part of the walls being more than eight feet high, and around the inside of the yard or corral are built some half-dozen little rooms inhabited by as many Indian traders and mountain-men. They live entirely upon game, and the greater part of the year without even bread, since but little maize is cultivated. As

soon as their supply of meat is exhausted, they start to the mountains with two or three pack-animals and bring them back in two or three days loaded with buffalo or venison. In the immediate vicinity of the fort game is very scarce, and the buffalo have within a few years deserted the neighboring prairies, but they are always found in the mountain valleys. . . ."

About the middle of August, 1846, a company of Mormons, numbering seventy-five or eighty men, women and children, arrived at the Pueblo; and three months later were joined there by eighty-eight more men of their faith, the coming of whom raised the total of the company's membership to more than one hundred men, thirty-five married women, and many children. While the Great Salt Lake was the ultimate destination of these people, they built cabins near the Pueblo and occupied them until the beginning of the next summer. Most of the men had been members of the Mormon Battalion (which formed a part of the American forces that took possession of New Mexico soon after the outbreak of our war with Mexico), and who had been, on account of sickness, released from further service; some at the American encampment below Fort Bent and others while on the march into New Mexico. The families of the sick men, together with a number of other Mormons and their families, had accompanied the American troops across the plains, intending to go on to the Great Salt Lake without delay. The company's wintering-place was in a large grove of cottonwoods upon the southern bank of the Arkansas, and within half a miles of the Pueblo. Although these people came as wayfarers and their winter quarters were temporary, theirs were the first American families that sojourned, and their cabins the first structures that sheltered American family-life, within the bounds of Colorado. While they tarried there, eight or nine deaths and several births occurred among them, the first of the latter being that of a girl—Malinda Catherine Kelley, probably the first American child born upon the soil of our State. When the party started for the farther West, near the end of May, 1847, two of the families remained with the Pueblos and may have contributed additions to the local population in later days.

At that time, another walled station, the counterpart of the Pueblo, stood upon the north bank of the Arkansas, at or near the mouth of Hardserabble Creek (a name that has been transmitted from that period), about twenty-five miles farther west, and five or six miles east of the site of the modern town of Florence. This establishment had been built by Simpson, Doyle and Barelay in the year after the erection of the Pueblo, and, like the latter, now was tenanted by a much-mixed assemblage of white folks. Major Thomas Fitzpatrick, an old frontiersman of the better stripe, who served Frémont as a guide in 1843, and who had been in the Rocky Mountain country since 1822, but who at the time was "United States Indian Agent for the Indians on and between the upper Arkansas and Nebraska [Platte] rivers", reporting to Washington from Fort Bent, in September, 1847, and considering the Hardserabble collection and that at the Pueblo as constituting one "settlement", had the following to say of the character of the inhabitants thereof and of their means and modes of living:

"About 75 miles above this place, and immediately on the Arkansas river, there is a small settlement, the principal part of which is composed of old trappers and hunters: the male part of it are mostly Americans, Missouri French, Canadians, and Mexicans. They have a tolerable supply of cattle, horses, mules, &c.: and I am

informed that this year they have raised a good crop of wheat, corn, beans, pumpkins and other vegetables. They number about 150 souls, and of this number there are about 60 men, nearly all having wives, and some have two. These wives are of various Indian tribes, as follows, viz.: Blackfoot, Assineboines, Arikeras, Sioux, Aripohoes, Chyennes, Pawnees, Snake, Sinpach [Simpitch], (from west of the Great [Salt] lake,) Chinook [Chinook], (from the mouth of Columbia) [the Columbia River], Mexicans, and Americans. The American women are Mormons; a party of Mormons having wintered there, and, on their departure for California [this was before peace had been made with Mexico, when the Utah country was counted as a part of Mexican California], left behind two families. These people are living in two separate establishments near each other; one called 'Punble' [Pueblo], and the other 'Hard-scrabble'; both villages are fortified by a wall 12 feet high, composed of *adobe*, (sun-dried brick.) Those villages are becoming the resort of all idlers and loafers. They are also becoming depots for the smuggling of liquors from New Mexico into this country; therefore they must be watched."

The Pueblo continued to be redolent with bad odor. While many of the conventionalities of civilized society generally were ignored in fur-trading circles, the character and habits of most of the Pueblo's tenants brought upon the place increasing disrepute. But the number of its occupants dwindled, and of those who were remaining in December, 1854, nearly all the men perished at the hands of Indians. According to the popular account of the massacre, as it appears in R. M. Stevenson's historical sketch of Pueblo County in a *History of the Arkansas Valley*, from which I have quoted in a preceding chapter, the tragedy occurred on Christmas-day, at which time the Pueblo was occupied by a few Mexicans and seventeen Americans, mostly hunters and trappers. While the latter, as this story runs, were engaged in celebrating the holiday with the help of a goodly supply of Mexican whiskey—"Taos Lightning"—and were already hilarious, a large band of peaceable Ute Indians arrived at the post and eagerly accepted an invitation to join in the festivities. When all hands had become "fighting-drunk", a trifling quarrel between white and red precipitated a melee, in which fifteen of the Americans were killed and one left mortally wounded. The only American survivor among the tenants of the place was a teamster, who had gone from the post early in the morning and was absent until nightfall; and who, upon his return, found the Pueblo in the condition of a slaughter-house.

But in another account, which most probably states the facts, and which has no Christmas celebration, it is said that the massacre was the work of a large war-party of Utes, who appeared at the Pueblo about dawn in the morning of December 24th. Although they pretended to be friendly, the wary frontiersmen refused them admittance. Thereupon they threw off the mask and forced an entrance. Several of the white men escaped from the fort, but were soon overtaken and shot down. When the Utes departed they took with them a Mexican woman and two children. They killed the woman shortly afterward, but the children were recovered.

It was told in later times that it was this bloody affair that caused the Pueblo to be abandoned and left to fall into ruin; and also that in consequence of a report that the crumbling building was haunted by the "ghosts" of the slain, and that warlike shouts and despairing cries had been heard there in the night-season, both Indians and frontier whites gave the place a wide berth until the locality was occupied by some of our pioneers, late in 1858. It appears that the Hardscrabble community had

been broken up and dispersed some time before the occurrence of this tragedy.

Although some remains of the Pueblo survived for a few years after the founding of our city of Pueblo, citizens of the latter recently have contended with each other as to whether the building stood here or there. Frémont said it was upon the left bank of the Arkansas, a "short distance" above his encampment, at the mouth of the Fontaine qui Bouille. Judge Wilbur F. Stone, of Denver, and who saw its foundations and fragmentary parts of its walls, has stated positively to the present writer that the ground upon which the structure stood is adjacent to the site so long occupied by the Ferris Hotel.

The largest operators in the fur trade in the Colorado section of the Great West during the palmy years of the business were the Bent brothers, in partnership with Ceran St. Vrain—the firm of Bent & St. Vrain, or, as called by some, Bent, St. Vrain & Company. These partners were active and conspicuous men in the West and the Southwest for a number of years, Charles Bent becoming the first American Governor of New Mexico. In 1829, they began the construction of a large and strong trading-station, upon the northward bank of the Arkansas River, on ground close to the eastern edge of our Otero County. The site, which still bears some remains of the building, is a mile or so to the westward of Robinson Station, on the Atchison, Topeka and Santa Fé Railway, which here runs on the southward side of the river. Four years elapsed before the structure received its finishing touches, but its owners moved into it in the autumn of 1832. Their pioneer post, built in 1826, on the Arkansas, above the mouth of the Fontaine, then was abandoned. One of the purposes in moving down the river was to occupy a position nearer the traffic to and from New Mexico upon the Santa Fé Trail.

When completed, the new station presented truly a fort-like appearance. Its ground dimensions were 100 by 150 feet, while its walls, in which there was but one opening, a wide gateway in the front, which faced the East, were six feet thick at their base and seventeen feet high. At both the northeast and the southwest corner there was a round, tower-like parapeted bastion, of ten feet inside diameter. A cannon was mounted upon the top of each, the walls of which were loop-holed for rifle-firing. In the interior, living and storage rooms—one of the former containing a billiard table—were ranged against the walls, and opened upon a central court, while a large walled corral for stock and wagons abutted the rear of the building. Aside from the rafters which supported the roofs of the rooms and the heavy hewn planks of which the gates were made, practically the entire edifice was built of adobe, which also was the material used for roofs. The owners named the post "Fort William", in honor of William Bent, but this appellation soon fell into disuse, and the station became commonly known as "Fort Bent", or "Bent's Fort". The first organized body of Americans that visited it was the command of Colonel Henry Dodge.

Lieutenant J. W. Abert, of the United States Topographical Engineers, who was at the post in the summer of 1846, says, in his report of his "Examination of New Mexico", that "the structure is quite complex", and that its dimensions and strength gave "one an idea of the forts that can be built in that country". He goes on to remark that "the roof and walls of clay cannot be set on fire, and the thickness of the walls renders them

impenetrable to the fusil balls of the Indians". Abert drew an excellent picture of the fort, and which is the only one now extant.

Fort Bent was the largest, and with respect to the volume of its business the most important, in the region of the Rocky Mountains. Its owners carried on a great trade with the Indians of the central Far West—the Comanches, Arapahoes, Cheyennes, Utes, Pawnees, and some of the Sioux; with the people of New Mexico, and with the "free" trappers and hunters who roved the plains and the mountains. In 1840, and probably before that year, they were employing directly about one hundred men.

The Indians frequently resorted to and encamped around Fort Bent in large numbers, bringing furs and pelts, from the skins of beavers to the hides of buffalos, to trade for the white men's weapons, utensils, trinkets, and firewater; and the post rarely was without some bands of them loitering about its walls. Thomas J. Farnham, in his *Travels in the Great Western Prairies*, published in 1839, says—evidently with a large measure of exaggeration:

"In the months of June, August and September there are in the neighborhood of those traders from 15,000 to 20,000 savages, ready and panting for plunder and blood. If they engage in battling out old causes of contention among themselves, the Messrs. Bent feel comparatively safe in their solitary fortress. But if they spare each other's property and lives, there are great anxieties at Fort William; every hour of the day and night is pregnant with danger."

The posts of the fur traders occupy a large place in the early history of the Great West—in that of the wild and so-called "romantic era"; and in historical interest and associations Fort Bent stands next to Fort Laramie. Many a tragedy and many a comedy were enacted at Fort Bent. Its annals would form a long and continuous story of picturesque scenes, thrilling episodes and amusing incidents. The ground in the vicinity of its site is a cemetery, in which lie the bones of Indians of both sexes and all ages; of trappers, wandering petty traders, adventurers, emigrants, and of American soldiers. Most of the seriously sick men of General Stephen W. Kearny's army, the historic organization that conquered New Mexico, in August, 1846, and those of General Sterling Price's command, which followed upon the heels of the former into that Mexican Province, were left at Fort Bent. Of these invalids, the remains of those who died at the fort lie in graves near its site, but of which all superficial traces long have been obliterated. Some of the emigrants bound for Oregon, and thousands of those who went to California, after the beginning of American settlements in the one and the discovery of gold in the other, who had crossed the plains by the Arkansas River route and were going to the coast by way of Pike's Peak and Fort Laramie, paused at Fort Bent to replenish their supplies and otherwise prepare for the continuation of their long journey. Here the end of life came to some of these, and they were buried back of the old fort by their companions; but nothing now remains to indicate the places of their sepulture.

The fort continued to be a trading-station until the autumn of 1852, when it was destroyed. During the preceding three or four years, the Federal War Department, having previously learned that William Bent, then the sole owner of the building, contemplated removing to another locality, farther down the river, had been negotiating for its purchase for use as a military post, as Colonel William Gilpin had recommended in 1848.

but seeking to obtain it at about half its value. Rather than sell the post at a price so much less than its worth, and exasperated by the tedious, paltry, red-tape methods of the proceedings, Bent deliberately mined it with gunpowder and blew it into wreckage. So ceased to exist the last of the trading-establishments of the "romantic era" in the land of Colorado.

There were six of the Bent brothers, Charles, William W., John, George, Robert, and Silas, sons of Silas Bent, of St. Louis. John remained in St. Louis; Silas entered the United States Navy; while the others engaged in the Indian trade. The father, a native of Massachusetts (1768), became a member of General Rufus Putnam's "Ohio Company" (1788), and settled at Belpre, near Marietta, Ohio, in 1791, and where he was prominent and influential. Removing to St. Louis, in 1806, he held important public positions in that community for a number of years, and died there in 1827. As I have already mentioned, Charles and William Bent, in addition to their fur business, early took part in the traffic to and from Santa Fé. In 1829, Charles was Captain of a train of thirty-five wagons bound for New Mexico upon the Santa Fé Trail; and in 1832 and 1833 was at the head of other large trains that went to the capital of New Mexico. In 1846, shortly after the occupation of Santa Fé by the American Army of the West, General Kearny appointed him Governor of the Province of New Mexico, which office he was filling when killed at Taos, on January 19, 1847, in the massacre which followed an uprising of the Pueblo Indians, who had been instigated to revolt and were led on by Mexican conspirators. Robert Bent died early, and George about the time of the Mexican War. The latter was in charge of the second Fort Bent in 1844, in which year he entertained Frémont greatly to the "Pathfinder's" satisfaction. William Bent, who devoted most of his time and attention to the management of the firm's fur trade in the Colorado country, died at Las Animas, Colorado, on May 19, 1869.

Between 1835 and 1845, there were three small structures on the Arkansas, to the westward of Fort Bent. One of these, apparently the older, which was called "Fort Pueblo", and also "El Pueblo", and was occupied by some Frenchmen and Mexicans who professed to be traders, stood upon the river's north bank, four or five miles above Bent's. The others were located near the mouth of Timpas Creek, one on each side of the river, and both inhabited by Frenchmen and Mexicans, who, like their neighbors of El Pueblo, affected to be traders. But the principal business of the twin establishments near the Timpas, if not of the Pueblo, was that of smuggling back and forth across the international boundary, which flowed in front of their doors: Mexican whiskey being the chief article of the traffic. Hence some of the frontiersmen called them "the custom-houses".

It was not until after the advent of the third decade of that century that fur-trading stations were built on the South Platte. According to statements made by several old frontiersmen to Denver pioneers in 1858 and '59, the first of these was erected in the year 1832. Its reputed builder was a trader named Vasquez ("Vaskiss", in frontier parlance), whose first name was understood by the founders of Denver to have been Louis, but which now appears to have been Benito. As the account runs, Vasquez, who is known to have been a brother of Captain Pike's interpreter, using the handy material afforded by the friendly cottonwood, erected a small

building, which was said to have been protected by a stockade, opposite the mouth of Clear Creek, or nearly so; its site being not far from the city of Denver's present limits in that vicinity. I have been unable to find any map of the old-time West upon which this post is designated, or any contemporary written record of its career. The accounts of Colonel Dodge's expedition contain no reference to it, nor were there any remains of it left at the time the foundations of Denver were laid. Yet I do not doubt that it existed, though it seems probable that the post proved to be a temporary establishment, whatever may have been the original intentions of its builder. It would appear that the structure must have been abandoned, or perhaps destroyed, before the coming of Colonel Dodge; but it is not beyond possibility that he and his command may have passed without having noticed whatever remains of the building there may have been at that time. Clear Creek, which has not been "clear" for many a year, became known in that period as "Vasquez Fork", because, as was said, of the presence of this trader's post opposite its mouth. The creek continued to be commonly called by that name—which should be restored to it—as late as 1861.

According to Dr. F. A. Wislizenus, of St. Louis, who made a tour to the Rocky Mountains in 1839, and in the next year published an account of his western travels, there was in his time a small post on the South Platte, five or six miles above (south of) Fort St. Vrain, and which was owned by "Vasquez and Sublette". Doubtless this Vasquez was the reputed builder of the trading-house opposite the mouth of Clear Creek, and that Sublette was William L. Sublette, one of the men who built Fort Laramie. Connecting it with the story of Vasquez's post at Clear Creek, Dr. Wislizenus' statement would imply that that trader was an owner in two stations on the South Platte, and that the one near Fort St. Vrain was the successor of the outfit opposite the mouth of Vasquez Fork. Vasquez, a native of St. Louis, and of Franco-Spanish parentage, is known to have been a roaming trafficker in the country of Colorado and Wyoming as late as the close of the war with Mexico.

A few years after those assigned to the Clear Creek "Fort Vasquez", Peter A. Sarpy, a member of a St. Louis family of French extraction, and which for many years was identified with the western fur trade, put up a log trading-house on the South Platte, about five miles farther down the river. It is understood to have been, like its Clear Creek predecessor, a small building, which was not long in commission. Sarpy was said to have been unpopular among the frontiersmen of his acquaintance, because of his suspicious nature and peppery temper, but these qualities seem not to have kept him from maintaining peaceful relations with the red people. In 1842, Sarpy was the manager of a post of the American Fur Company, on the Missouri River, in what is now the State of Nebraska.

In 1836, or '37, Lancaster P. Lupton, who, as a First Lieutenant in the First Regiment of United States Dragoons, commanded Company A, of the force with which Colonel Henry Dodge made his expedition to the Rocky Mountains, in Colorado, in 1835, built a large trading-post, constructed of adobe, upon the eastward side of the South Platte, at a place about seven miles north of the south line of our Weld County. The builder of this establishment honored himself by bestowing upon it the name, "Fort Lancaster". Lupton had resigned his commission as an

officer of the United States Army, on March 31, 1836, to engage in the western fur trade. Doubtless it was what he had observed while in the Far West with Colonel Dodge, and especially while the command tarried at Fort Bent, that opened his eyes to the money-making possibilities of the fur business and persuaded him to leave the army and become the proprietor of a trading-post. However, as we shall see presently, if the Lieutenant made a fortune at his fort he must have done so within less than ten years.

Frémont, when on his second expedition, made a brief halt at Lupton's post on July 6, 1843. After referring to his departure from Fort St. Vrain in the morning of that day, the Pathfinder says in his *Memoirs*:

"Passing on the way the remains of two abandoned forts (one of which, however, was still in good condition), we reached, in ten miles, Fort Lancaster, the trading establishment of Mr. Lupton. His post was beginning to assume the appearance of a comfortable farm: stock, hogs and cattle, were ranging about on the prairie; there were different kinds of poultry; and there was the wreck of a promising garden in which a considerable variety of vegetables had been in a flourishing condition, but it had been almost entirely ruined by the recent high waters. I remained to spend with him an agreeable hour. . . ."

Notwithstanding its appearance of prosperity in 1843, Lupton must have abandoned the property to the elements and the destructive acts of both white and red wayfarers soon afterward, as Francis Parkman found the fort's walls "standing in melancholy desertion and neglect" in the summer of 1846, when he and his party camped over night near them. Some remains of the building still are in existence.

Lupton's post did not retain the name, "Fort Lancaster", in popular usage. The hunters, trappers, and other frontier folk soon substituted "Lupton's Fort", and "Fort Lupton", for the original appellation; just as they dropped "Fort William" and adopted "Bent's Fort", and "Fort Bent", in the case of the great establishment on the Arkansas. The change gave rise in our settlement-period to rather a general belief, which has been transmitted to the present time, that Lupton had built two trading-posts in that vicinity, the earlier being Fort Lancaster, which was supposed to have stood upon the eastward side of the South Platte, several miles above the mouth of St. Vrain Creek; and that the trader had bestowed his given name upon the first, and his surname upon the second. But some of our pioneers thought that Fort Lancaster was the predecessor of Fort Lupton, upon the same site.

In a "Table of Distances from Omaha, N. T. [Nebraska Territory], to the Cherry Creek and South Platte Gold Mines", by way of the Platte and South Platte rivers, originally compiled and printed at Omaha in the winter of 1858-59, and published in the *Rocky Mountain News*, in the settlement at the mouth of Cherry Creek, in April and May, 1859, and which contained various references to the character of the route and also indicated the better camping-places, "Fort Lancaster" is located seven miles above (south of) Fort St. Vrain; and "Fort Lupton" six miles above (south of) Fort Lancaster. Each of the two is noted as affording "good camp".

The popular name of Lupton's trading-post is retained in the name of a station, "Fort Lupton", near the old fort's site, on the Union Pacific Railway between Cheyenne and Denver. The builder of Fort Lancaster,

a native of New York State, was graduated at the United States Military Academy, at West Point, in the year 1829. He was first assigned to the infantry service, but was transferred to the First Regiment of Dragoons in March, 1833. His long and active life ended on August 2, 1885.

The more dilapidated of the "two abandoned forts" mentioned by Frémont, probably was the post of Vasquez and Sublette, which Dr. Wislizenus said was occupied when he visited it, in 1839. Its condition when Frémont saw it would seem to imply that it was a temporary building, of light construction. It is altogether likely that the other was the small and nameless station of two obscure traders, Loek and Randolph, and which is supposed to have been built late in the '30s. Its owner vacated it in the spring of 1842.

The largest and most famous of the trading-posts on the South Platte was Fort St. Vrain, upon the right bank of the river, nearly a mile below the mouth of St. Vrain Creek, and which, in importance in the central Far West, ranked next to Forts Laramie and Bent. It was built in 1838 by the Bent brothers and Ceran St. Vrain, being named for the latter, although for a short time it was called "Fort George", apparently in honor of George Bent. Constructed of adobe, the fort was about 75 by 125 feet in ground plan, with walls fourteen feet in height, and having but one gateway. In other respects, also, it was upon the plan common to most of its kind—bastions at diagonally opposite corners, a fence of pickets surmounting its walls, with living- and storage-rooms ranged about a central court.

It appears that this post was built as a rival to Fort Lancaster, and it is probable that competition forced a compromise, as the two were abandoned about the same time. A large business was transacted at Fort St. Vrain during the six and one-half years in which it was occupied, the post being the "half-way station" between Forts Laramie and Bent; and scenes and episodes similar to those at Fort Bent frequently were present here. The travel between the upper Arkansas and the northern country in those times marked out a plain trail—a pioneer highway—by way of the Pueblo, Cherry Creek and Fort St. Vrain to Fort Laramie, and which in later years was broadened by the teams and wagons of California Argonauts and also by the trains accompanying passing bodies of United States troops. Denver's Fifteenth Street is upon a part of its course. Beginning early in the '40s, a weekly pony-express was operated over this trail, from Fort St. Vrain to Fort Bent, and thence to Taos, New Mexico, by another path, until St. Vrain was abandoned. This enterprise was the original of the pony-express method of conveying communications in the country west of the Missouri River.

As my readers have seen, Frémont was at Fort St. Vrain when on both his first and his second expedition; once in 1842, and twice in 1843. In the former year, as related in a preceding chapter, he arrived at the post on July 11th, and "found Mr. St. Vrain [probably Marcellus St. Vrain, a brother of Ceran], who received us with much kindness and hospitality"; and upon his first visit in 1843, on July 4th, "Mr. St. Vrain received us with customary kindness and invited us to join him in a feast which had been prepared in honor of the day." Frémont gives no description of the building. Mr. Parkman saw it about fifteen months after its abandon-

ment, which occurred in the spring of 1845, and of its condition when he passed it says, in his *Oregon Trail*:

"At noon we rested under the walls of a large fort, built in these solitudes some years since by M. St. Vrain. It was now abandoned and fast falling into ruin. The walls of unbaked bricks were cracked from top to bottom. Our horses recoiled in terror from the neglected entrance, where the heavy gates were torn from their hinges and flung down. The area within was overgrown with weeds, and the long ranges of apartments once occupied by the motley concourse of traders, Canadians, and squaws, were now miserably dilapidated."

Ceran St. Vrain was of a St. Louis French family, which settled there about the time of the purchase of the Province of Louisiane by the United States. In addition to his fur-trading enterprises, he, like his business associates, engaged in the New Mexico trade over the Santa Fé Trail, having gone there with his first wagon-train before 1830. He became a citizen of New Mexico, and in later years was broadly identified with its affairs. He died at his home in the town of Mora in October, 1870.

So far as known, the locality at the mouth of Cherry Creek was not utilized by any trader as the site of a trading-post, although it would seem to have been the most attractive on the South Platte River, and was a favorite camping-place with both white men and red. Much of the bottom-land was thickly grown with cottonwood trees, and there was, according to Parkman, "a great abundance of wild cherries, plums, gooseberries, and currants" upon other parts of it.

There was but one fur-trader's post upon Colorado's western slope—a solitary white-man's-habitation in a vast wilderness. This was the log-built station of Antoine Roubideau (or Robidoux), a Frenchman from St. Louis. It stood upon the left bank of the Gunnison River, a mile or two below the mouth of the Uncompahgre, in the near neighborhood of our town of Delta, the county seat of Delta County. In his *Thirty Years of Army Life on the Border*, General R. B. Marcy relates that when he and his command were upon their desperate march from Fort Bridger to Fort Massachusetts, in the winter of 1857-58, they "encamped at the mouth of Bunkara Creek, near the remains of an old Indian trading establishment which had formerly been occupied by a man named Robedeau, who wandered out into this remote wilderness many years ago". General Marcy's use of the name "Bunkara" probably was due to an error of memory. In that period, the Roaring Fork, which discharges into the Grand River, where the town of Glenwood Springs now stands, was known by that name.

The year in which Roubideau built the post is unknown, but it is probable that it was one earlier than 1840, and perhaps earlier than 1835. He appears to have occupied it several years. Finally the Ute Indians fell out with him, drove him away and set fire to his buildings, relics of which were seen by General (then Captain) Marcy, and of which some survived until after the permanent settlement of Colorado.

Roubideau was upon the western slope as early as 1824. An article in the *Missouri Intelligencer* of April 19, 1825, relates that a party of Americans—William Huddert and fourteen others—set out from Taos, on August 24, 1824, and went westward to "Green River" (by which name the Rio Colorado may have been meant). At that stream the party divided, one of the two groups going up the river, and probably turning up the present Green River. The other, which included Huddert, presently met "a trader

named Robidoux", accompanied by five Americans, and with whom Huddart and his companions traveled toward the east. Two days afterwards, the party was beset by Arapahoe Indians, who killed one of Roubideau's Americans and plundered the others. Huddert and his men now separated from the trader and started upon their return to Taos.

In 1844, Roubideau was the owner of Fort Uintah, located about 100 miles east by south of the site of Salt Lake City, and of which he was also the builder. Frémont encamped near it in June of that year. "It has", says he, "a motley garrison of Canadian and Spanish *engagés* and hunters, with the usual number of Indian women". He adds that after his passage the fort was attacked and taken by a band of Utah Indians, who killed the men of the garrison and carried off the women. "Mr. Roubideau was absent, and so escaped the fate of the rest." A pass in the Colorado section of the Sangré de Cristo Range was named for this pioneer.

In that period there were two trading-posts near the northwestern boundaries of Colorado. What appears to have been the older, and of which but little is known, was Fort Davy Crockett, upon the left bank of Green River, in Brown's Hole, which lies in the northeastern corner of Utah and the northwestern of Colorado. This post, which was built by three Americans, named Craig, St. Clair, and Thompson, stood almost upon the western line of our State—probably no more than two miles from it. Farnham, who visited the station in 1839, describes it as "a hollow square of one-story log cabins with roofs and floors of mud, constructed in the same manner as those of Fort William" (Fort Bent). Dr. Wislizenus, who also saw it in that year, says it was a low one-story building with three wings, built of adobe and wood, but without a surrounding wall or a stockade. The popular name for it among the hunters and trappers was "Fort Misery". The station had been abandoned some time before 1844, as, according to Frémont, it was in ruins when he crossed Brown's Hole in June of that year.

The other of the two stations referred to above, was Fraeb's Post, a small structure, understood to have been of logs, built probably before 1840, by James Bridger and Henry Fraeb, which last name is rendered by Frémont as "Frapp". The post stood on St. Vrain's Fork, a branch of Elkhead River, which is an affluent of our Yampa, or Bear, River, its site being to the northeast of Hahn's Peak and about ten miles beyond the northern boundary of Colorado. Fraeb and five of his men were killed there in August, 1841, in a fight between his force of sixty hunters and trappers and a Sioux war-party. Frémont encamped near the post in 1844, but does not mention whether it was occupied or abandoned at that time. "A few miles above" [the camp], says he, "was the fort at which Frapp's party had been defeated two years since." However, it is supposed that the post was abandoned soon after Fraeb's death.

Although Fort Laramie, near the junction of the North Platte and Laramie rivers, was at a considerable distance beyond the limits of the territory that forms our State, it was closely identified historically with the trading-posts on the Arkansas and the South Platte, in Colorado. The name "Laramie" is from that of Jacques Loramie (sometimes rendered "Laramée"), a French trader who lost his life in the valley of the Laramie River in 1821. In the year 1834, William L. Sublette and Robert Campbell built a trading-fort near the confluence of the two rivers, and which was named "Fort William", for Sublette. In the next year, the building

was sold to Fitzpatrick, Sublette & Bridger, whose relations with the American Fur Company virtually made it a post of the organization. The station then was renamed "Fort John", in honor of John B. Sarpy. It was a stockade establishment of about 80 by 100 feet in ground dimensions, with flanking blockhouses upon two of the corners. While the American Fur Company continued to call it "Fort John", it soon became popularly known among the frontiersmen as "Fort Laramie". Early in the '40s, the owners of Fort John built another and stronger fort a short distance—a mile or so—farther up the Laramie, and which they called "Fort Laramie". Fort John then was abandoned. This new post was the historic Fort Laramie. Constructed of stone and adobe, its walls, surmounted by rows of sharp-pointed pickets, were sixteen feet high, with square bastions at two of the corners and a tower above the gate. In general appearance it was much like Fort St. Vrain. Fort Laramie was the central point of the greater part of the history of the old-time Far West, and nearly all of the overland emigration to Oregon and to California went by way of this far-known post. In 1849, the Federal War Department bought the property, enlarged and improved it, and maintained it as a military establishment until "Indian troubles" were ended forever. It has frequently but mistakenly been said that the name, "Fort Laramie", was bestowed upon the post at the time it was purchased for military purposes.

Contemporary with the origin and rise of the fur trade in the land of Colorado, the famous Santa Fé Trail, which traversed the southeastern corner of the area of our State, was established and became a great highway of commerce between Missouri and New Mexico. Leaving out of consideration here the casual doings of James Purcell and Baptiste La Lande, the first American attempts to open the "Santa Fé Trade", as it was called by those afterward engaged in it, were made soon after Captain Pike returned to the States from his expedition to the Rocky Mountains. In November, 1809, three American traders, named McClanahan, Patterson, and Smith, left St. Louis to go to Santa Fé, under the guidance of Manuel Blanco, a Spaniard, but were never heard of again. In 1812, a party of twelve St. Louis men, led by James Baird, Samuel Chambers, and Robert McKnight, went to Santa Fé upon a trading expedition. They were taken into custody upon their arrival there, sent to Chihuahua and thrown into prison, in which they remained until after the Mexican people threw off the Spanish yoke, in 1821. It is probable that others, of whom there is no record, attempted to have commercial dealings with the people of New Mexico before the Mexican Revolution. While it is likely that the McClanahan-Chambers-Baird party ascended the Arkansas far into the West before turning southward, nothing is known of the local route by which these pioneers entered the Spanish Province.

The history of the Santa Fé Trail as a through road from the Missouri River to the capital of New Mexico usually is held to begin with 1822, the year after the downfall of Spanish rule in Mexico. But William Becknell, of Missouri, who is called "the founder of the Santa Fé trade and the father of the Santa Fé Trail", with a large company, went to Santa Fé in 1821, arriving there in the middle of November. But Becknell followed the Arkansas to the mountains, probably to the site of our city of Pueblo, where, as Josiah Gregg mentions in his *Commerce of the Prairies: or Journal of a Santa Fé Trader*, an admirable work, written in 1844, he

intended to stay and trade with the Indians, but was persuaded by some Mexicans whom he met there to take his goods to Santa Fé, which he did safely and profitably. As the reader knows, our old friend, Jacob Fowler, followed close upon the heels of Becknell.

"Home Rule" in Mexico, such as it was, threw open the gate of New Mexico, and in 1822 several expeditions from Missouri entered the Province, having taken a course practically the same as that of the later well-defined highway. Pack-animals only, mostly mules, were used until 1824, in which year wagons were introduced. After 1825, all freight, camp supplies and equipage were conveyed in wagons. The original eastern terminus of the trail was at the little frontier town of Franklin, on the Missouri River, about 160 miles west of St. Louis. Within eight or ten years that terminus was changed to the Missouri town of Independence, near the present Kansas City, and shortly before our Civil War successively to Westport and to Kansas City—which two now are one municipality. After Fort Leavenworth had been built, a short branch, diverging a few miles west of Independence, was opened to that fort, but in later times this connection ran by way of Fort Riley.

The course of the Santa Fé Trail from Independence was southwesterly to the farthest northing of the great bend of the Arkansas River, and thence along the northward bank of that river to a point near the 100th meridian, and not far from the site of the present Dodge City, Kansas. Here it crossed the Arkansas—the "Santa Fé Crossing" of pioneer times—and coursed southwestward to the Cimarron River, along the northward bank of which it traversed the southeastern corner of our Baca County for a distance of some twenty miles—a section of the trail that is still used as a wagon road. The southwesterly course was continued across the Panhandle of the lately-created State of Oklahoma and through northeastern New Mexico to Santa Fé, its length from Independence to New Mexico's capital being about 835 miles.

The history of the Santa Fé Trail is a part of that of the Great Southwest rather than of that of Colorado proper. The traffic over it in both directions had become large before the outbreak of our war with Mexico, and was increased greatly after New Mexico had been made United States territory. Mails then were transported upon it regularly, there was much more personal travel, many more caravans conveying general merchandise, bodies of troops marched to and fro, and wagon-trains took out supplies for the several military posts in the new possessions while others returned for more. But the travel in the earlier years already had made the trail a broad and beaten highway.

Soon after the Bent brothers built their first trading-post on the upper Arkansas (1826), a trail, such as tramping trappers, pack-animals, and occasional travelers upon horseback would mark out, was broken upon the northward bank of the river from their station to the Santa Fé Trail, at Santa Fé Crossing, and which was the beginning of the present public road upon that bank of the Arkansas from the mountains to the eastern line of our State and beyond, though it is probable that a part of it already was an old buffalo-path. By this road and the eastern section of the Great Trail the fur traders on the Arkansas despatched their acquisitions, usually by pack-animals in the earlier years, to the Missouri River, there to be transported by boat to St. Louis, which was then the principal fur market

for all the sunset region. The trail from the upper Arkansas to Fort Laramie, by way of Fort St. Vrain, which was developed in the late '30s, diverged from the path along that river at the Pueblo. By the early '40s, a plain road had been worn from the Fort Laramie Trail, at its crossing of the South Platte, a few miles below the mouth of the Cache a la Poudre, down the right bank of the South Platte to a connection with the Oregon Trail, which crossed that river at a point about twenty miles to the eastward of the northeastern corner of Colorado.

While the Spaniards of New Mexico had traversed the Sangré de Cristo, the Raton and other mountain-passes in southern Colorado from an early time, their journeys had not been of frequency sufficient to wear a distinct path. But after the construction of the Bent brothers' second trading-post (Fort Bent), a trail was located from it into New Mexico by way of the Raton Pass, and which joined the Santa Fé Trail at a place a short distance north of the site of the town of Las Végas. Still farther north it intersected a branch trail leading from the Santa Fé to the town of Taos. It was this route, which was neither well-broken nor very much used, that was traveled by the pony-express between Fort St. Vrain and Taos, by way of Fort Bent. In later years of the fur-trading period, a trail was developed from the confluence of the Fontaine qui Bouille and the Arkansas River to the Raton Pass.

The Santa Fé Trail continued to be a busy thoroughfare until after our Civil War, when the West became the scene of an activity in occupation and development that never was equaled anywhere in this world; and foremost in it were the railway builders. Some of these made the beginning of the end of the Santa Fé Trail as a highway of commerce within five years from the close of that war. As the Atchison, Topeka & Santa Fé Railway advanced up the Arkansas Valley, in the '70s, the traffic upon the trail stopped where the rails began. After that railway had been completed west of Santa Fé Crossing, the general travel and freighting to and from New Mexico connected with the end of its track by way of the road extending from the crossing westward along the left bank of the Arkansas and by the Raton Pass Trail.

Attempts have been made lately to have it appear that this connecting route was a part of the historic Santa Fé Trail. That such efforts are based upon gross perversions of history can not be stated too emphatically. Of the great road which was meant and understood always in the early days whenever and wherever the name, "Santa Fé Trail", was spoken, the only miles that were upon the soil of our State were those of its course in the southeastern corner of our Baca County. It was only during the brief period occupied in constructing the Santa Fé Railway from the Arkansas River into New Mexico that the connecting route by way of the Raton Pass was such a thoroughfare as the Santa Fé Trail had been for many and many a year.

The fur trade in the Pike's Peak country had reached its prime by 1840, when several hundreds of men were engaged in it in one capacity or another. After that year it declined steadily, and some of the traders and restless and adventurous trappers and hunters then began to seek other fields of activity and profit. According to their views, the region possessed no other resource, and therefore it held out no further inducement for them to remain in it. By the year 1850, the Colorado country had been ransacked

so thoroughly for peltry by both white and Indian trappers that the animals bearing the more valuable furs were almost exterminated, and the business had so far declined that it could not much longer warrant the maintenance of even one trading-station. Through the '50s, a few migratory traffickers with small stocks roved in and out, picking up such odds and ends of trade as they could find. But their petty operations seemed only to emphasize the nearness to complete extinction to which the once-flourishing traffic had been reduced. Referring to the halt of a detachment of troops under his command at the mouth of Denver's Cherry Creek, in May, 1858, General Marcy says, in his book from which I have quoted on a preceding page of this chapter, "there was at that time but one white man living within a hundred and fifty miles of the place, and he was an Indian trader named 'Jack' Audeby, upon the Arkansas".

William Bent was the last fur trader who maintained a post within the borders of Colorado. After having destroyed Fort Bent, he built two or three cabins side by side, for trading purposes, upon the left bank of the Arkansas River, in the Big Timber, about thirty-five miles below the wrecked station, and in what is now our Prowers County. But he occupied these only two or three years. In 1854, Bent began the construction of "New Fort Bent", evidently with expectation of selling it to the United States for military uses, and which he made almost the counterpart of the one he had blown up two years before. The new structure stood upon a low bluff overlooking the Arkansas, about eight miles west of the present town of Lamar. It was not quite so large as the first Fort Bent, being 100 by 135 feet in ground plan, with walls four feet thick and fifteen high, built of stone and adobe. Two of the corners were bastioned, and in other respects, also, it was much the same as the destroyed fort. Negotiations for transferring it to the Federal War Department were begun soon after its completion; but, as with those for the old post, they dragged for two or three years. In the meantime, Bent used the fort as a trading-station. Finally a bargain was struck, and the War Department took possession of the property in the spring of 1859, renaming it "Fort Wise", for the contemporary Governor of Virginia. In the autumn of 1861, the name was changed to "Fort Lyon", in memory of General Nathaniel Lyon, who had been killed at the battle of Wilson's Creek, Missouri, in August of that year, and the fort was made a rendezvous for some of the Colorado Volunteers who served in the Far West in the War for the Union.

At the time New Fort Bent was built, there was but one Federal military establishment within the area of Colorado. This was Fort Massachusetts, a stockaded post, which, as I have stated in Chapter I, was erected in the summer of 1852, on Ute Creek, near the western base of the Sangré de Cristo Range, in what is now our Costilla County, but which then was a part of New Mexico. This fort was occupied until June, 1858, when it was abandoned and the garrison removed to Fort Garland, a new post, which, as I have previously mentioned, had been built in a more favorable locality, a few miles farther down Ute Creek, where the village of Fort Garland now stands, and in the name of which a memory of the fort is perpetuated.

Much of our western literature, made lurid by many and gross exaggerations, would have us believe that the life of the fur traders and of their hunting and trapping associates was one of almost daily combat with the

Indians around them. But according to the facts, the traders usually managed to keep on friendly terms with the Indians; and attacks upon their establishments by the red men seem to have been very rare events. So far as there is any record, Robidoux's post on the western slope was the only one in Colorado that was destroyed by Indians; and the probability is that it was a weak structure. It does not appear that any of these on the Arkansas and the South Platte ever was invested, or even very seriously menaced. Our Indians had no taste for the tedious and dangerous work of besieging a stronghold, nor for storming a fortified position. Moreover, it was to their interest to have white traders to come among them, or to be lodged in their country, and so to give them an opportunity to exchange the skins of wild animals for things that otherwise would be far beyond their reach—although the Indians always got the short end of the bargain. The hunters and trappers of fur-trading times likewise were usually at peace with the Indians, and most of them had Indian "wives". It is true that both traders and trappers sometimes braved great perils, yet it is also true that if the Indians had been the implacable enemies they are represented to have been by many of our writers on the early history of the West, not a white man who entered the country in that period could have kept his scalp upon his head for as long as a single season, as the Indian warriors outnumbered the frontiersmen in overwhelming proportions, and were cunning and courageous fighters. In frequent instances in these old times the death of a white man at the hands of Indians was due, not to hostility to his race or occupation, but to a personal grudge against the individual.

Not a few of the hunters and trappers died in encounters with their associates. As a class, they were not men of saintly character, nor did they always figure as heroes above reproach. With their fearlessness, devotion to what they regarded as their duty, and other good qualities, vices kept company. Most of them, when at the trading-posts would get drunk, and carouse for days at a stretch, squandering their earnings, and then go forth, and probably in debt, to another season's work. Frequently upon such occasions they would fight among themselves; and affrays between such men, especially when they were inflamed by the fierce Spanish whiskey of New Mexico, which was the intoxicant commonly to be had at the trading-stations, were no mere bar-room brawls ending in a bloody nose for one and a bruised shin for the other. Yet, either, should both survive, afterward would risk his life to save that of his antagonist should they meet upon the plains or in the mountains and there be placed in a perilous situation.

Some of the hunters and trappers, but mostly Frenchmen, were hired by traders by the season or year, for stated wages, while others worked on their own account. However, improvidence usually kept a majority of the latter tied to some trading-station by indebtedness to its proprietors, and for which the results of their work were mortgaged in advance. Therefore they were not, practically, at liberty to deal with other traders. The comity of the business made a marked man of the trapper who levanted his debts, and every trader would refuse to furnish him with supplies of any kind. Hence these, together with the engagees, were not "free trappers", the class in which Kit Carson and some others of his type kept themselves as long as they followed that occupation.

The many years of fur-gathering and of trading-posts wrought no appreciable changes, caused no lasting impression to be made upon the face of Nature, in the Pike's Peak region; nor would a thousand years of such occupancy of the country have worked any more. As in other parts of the West, the fur-trading period in the land of Colorado was not a constructive period. The traders established their posts with but one purpose in view—that of using them as habitations and storehouses only so long as pelts might be acquired profitably. With but few exceptions, the lives of their white allies and associates—the hunting and trapping frontiersmen—were like that of the wanderer who considers himself “at home” wherever he happens to be. Never did one of these men, either trader, hunter or trapper, during the years in which the fur trade flourished, construct for himself upon Colorado ground even so much as a log shack or a dug-out with intention to use it indefinitely—with the idea of home-making in his mind. At no time in the strange and wild life that these men lived—the like of which never shall be seen in this world—did one of them plant anything within the bounds of our State that took deep root in the soil. In the '50s of that century, a number that can be told by the fingers of one hand turned to the ways of a settled existence in southern parts of Colorado; but the great body had passed on without having cared to make an attempt to uncover and develop the Talent which Nature for ages and ages had kept buried in the ground.



GOVERNOR EDWARD M. MCCOOK /

CHAPTER IX.

EARLY DISCOVERIES OF GOLD IN THE COLORADO COUNTRY.—SPANISH PIONEER MINERS IN THE SEVENTEENTH AND EIGHTEENTH CENTURIES.—LOST PARTY OF PORTUGUESE PROSPECTORS.—FRENCH THEORIES AND BELIEFS AS TO THE OPULENCE OF THE GREAT WEST IN GOLD AND SILVER.—PRIMITIVE FRENCH RUMORS OF SPANISH MINING OPERATIONS IN THE ROCKY MOUNTAINS.—A "COUNTRY FULL OF MINES".—MAINSRING OF THE FAMOUS "MISSISSIPPI BUBBLE".—A "GOLDMINE" IN KANSAS.—FIRST DISCOVERY OF GOLD BY AN AMERICAN IN THE LAND OF COLORADO.—CAPTAIN PIKE'S INDIFFERENCE TO ITS SIGNIFICANCE.—HIS FAILURE TO SEARCH FOR THE PRECIOUS METALS WHILE IN THE COLORADO MOUNTAINS.—SUPPOSED CONTENTS OF THE "SHINING MOUNTAINS".—LACK OF INVESTIGATION BY LONG'S EXPEDITION.—FREQUENT FINDINGS OF GOLD DURING THE FUR-TRADING PERIOD.—GREGG'S COMMENTS ON THE "METALLIC MINERALS" OF THE WEST.—ROUBIDEAU'S PROSPECTING ON THE WESTERN SLOPE.—SAGE'S THEORIES.—WILLIAM GILPIN'S OBSERVATIONS AND DISCOVERIES.—NUGGETS FOUND IN THE SOUTH PARK BY "OLD BILL" WILLIAMS.—GOLD GATHERED BY CHEROKEES.—REPORTS RECEIVED AT FORT LARAMIE.—TALES FROM THE "PIKE'S PEAK GOLD REGION" IN THE MIDDLE '50S OF THE NINETEENTH CENTURY.—EFFECTS OF THE PANIC OF 1857.—DELAWARE INDIAN PROSPECTORS IN COLORADO.—GOLD FOUND IN THE BED OF CHERRY CREEK BY AN ARMY TEAMSTER.—FIRST ACTUAL GOLD-MINING IN THE COLORADO COUNTRY BY AN AMERICAN.—ADVENT OF THE FIRST COLORADO ARGONAUTS.

A long lapse of years lies between the first knowledge of the existence of gold in the Colorado country and its "discovery" upon the right bank of the South Platte River, within the present corporate limits of the city of Denver, in 1858. Some of the yellow metal was found in the South Park more than one hundred years ago by Captain Pike's chance acquaintance from Kentucky, James Purcell (whose surname Pike recorded as "Pursley"), to whom my readers already have been introduced; and from his day to that of the coming of the first permanent American settlers upon Colorado soil many others had gathered a little gold here and there, and some mining had been done, in the district drained by the South Platte and by its affluents that have their sources in or near the mountains.

A similar train of circumstances, although not covering so long a period, preceded the "discovery" of gold in California. A generation of Mexicans had washed out the precious dust now and then from the beds of streams in the Sacramento Valley before the historic disclosures at Sutter's Mill, in 1848.

But the original discovery of gold in the land of Colorado occurred far back of the time when our Kentuckian found some in the South Park. While he was the first of our countrymen to discover the metal here, it is as certain as anything can be in the absence of explicit proof that the first gold-miners upon Colorado soil worked about two centuries before he had seen the Rocky Mountains. The traditionary Spanish stories of some of Oñate's colonists, who made the second settlement within the present area of the United States, in the valley of the upper Rio Grande, in 1598, having found gold in the San Luis Park, early in the seventeenth century, doubt-

less are true. They are said to have done placer-mining at the western base of the Sangré de Cristo Range, in the district around our town of Fort Garland, in Costilla County, which locality is drained by the Rio Trenchera and its branches. Traces of what appeared to be ancient mining operations were seen there by American prospectors in our pioneer era, but whether they were scars made by Oñate's people, or by later Spanish miners, can not be determined now. While the Spanish pioneers of New Mexico were not very efficient miners, even in placer-work, their hunger for gold and zeal and industry in searching for it compensated in part for their lack of skill in extracting it from the detritus of the mountains.

It is not improbable that miners from New Mexico were at work for both gold and silver in the section of Colorado that is drained by the mountain tributaries of the South Platte in the first quarter of the eighteenth century. As I have told in Chapter I, bands of Spanish adventurers from the Rio Grande settlements roamed over the eastern part of Colorado and much farther north in those years. In their search for whatever might be of value to them it is hardly probable that the presence of gold and silver in that section could have escaped their notice. As we shall see presently, the French in Illinois heard rumors of Spanish mining in what would seem to have been the mountain-parts of Colorado near the head of the South Platte in or about the year 1720.

We have something much nearer a certainty in what is known of Juan Rivera's expedition into the southwestern quarter of Colorado in 1761. I think there is no good reason for doubting that he and his comrades found gold in that section of our State. As mentioned in Chapter I, Father Escalante, when there in 1776, upon his exploration in search of a practicable route from Santa Fé to the California missions, saw in several places excavations that had been made by Rivera's party, and was told by Indians that gold existed in that region. When, after a century had elapsed since Rivera's time, American prospectors penetrated into these parts of Colorado in quest of the yellow metal, evidences of mining-work, which doubtless were left by Rivera, were seen on tributaries of the San Juan and of the Gunnison.

Similar excavations, which were supposed to have been the work of early Spanish miners, were observed in several places along the foot-hills in the vicinities of Denver and Boulder by others of our pioneer gold-hunters.

In the year 1859, a prospecting party, of which Samuel Stone, then a citizen of Denver, was a member, discovered near the headwater of Big Thompson Creek, close to the base of Long's Peak, what appeared to be the site of an old mining-camp, upon which were the remains of what evidently had been rude cabins. Much of the timber in the vicinity had been cut, "apparently twenty or thirty years ago", and here and there in the gulch were some partly filled-up shallow shafts and other excavations. In the top of a high hill near by there was a deep shaft, and upon another the prospectors saw "what had the appearance of an old furnace". Among or near the relics of one of the cabins, Stone found a kettle-like copper vessel and a small copper "worm" of several coils, the two seeming to have been the main parts of a portable outfit for distilling. It may be remarked here that in early times the country bordering the eastern foot-hills in

Colorado afforded much wild fruit from which brandy might be made. Stone brought the kettle and the "worm" to Denver, and kept them in his cabin for nearly a year, when they disappeared. The late William N. Byers, of Denver, saw them and heard from their finder the circumstances of their discovery. Shortly after our Civil War, when on a visit to Santa Fé, Mr. Byers, while there, told of the finding of these utensils and of the weather-worn evidences of early mining near the place where they had been picked up. Some old citizens of the town then informed him that they had a local "tradition" which said that many years before—how many, no one present knew—a party of Portuguese, coming from Mexico, passed through Santa Fé on a mining expedition far to the north, and that the strangers never were heard of again in the capital of New Mexico. The old citizens thought that surely the Portuguese would have been seen at Santa Fé while on their return journey had they survived their search for gold in the North. Whether the remains of cabins, the copper utensils, and the excavations found by Stone's party were relics of this expedition or were due to the operations of other men in later times is unknown. But the Santa Fé patriarchs to whom Mr. Byers told the story thought it highly probable that the Portuguese adventurers were responsible for them, and that these strangers had met their fate in a tragic encounter with Indians.

While the great body of the French pioneers in the country west of the Mississippi River regarded the fur trade as being the only business worth following, there were some who were nearly as eager as the Spaniards to find the precious and the more valuable of the other metals in the new domain of their king.

One of the purposes of the exploration of the Mississippi by Louis Joliet and Father Jacques Marquette, in 1673, was to learn something further about the gold-mines which were then rumored among the French in Canada to exist in the distant West. In the introductory to Father Marquette's account of the voyage in the *Jesuit Relations* for that year, it is said that "Monsieur the Count de Frontenac, our Governor, and Monsieur Talon, then our Intendant, Recognizing The Importance of this discovery,—either that they might seek a passage from here to the sea of China, by the river that discharges into the Vermillion, or California Sea [Gulf of California], or because they desired to verify what has for some time been said concerning the 2 Kingdoms of Theguaio [the New Mexico country]. And Quiuira [Quivira, the country to the north of New Mexico], which Border on Canada, and in which numerous gold mines are reported to exist, . . . appointed for this undertaking Sieur Jolyet, . . . and they were well pleased that Father Marquette should be one of the party". Joliet and Marquette went down the Mississippi as far as the mouth of the Arkansas, but learned nothing new as to the mines of Theguaio and Quivira.

The Spaniards had developed and were working gold-mines in New Mexico in the first half of the seventeenth century. Among the alleged grievances of the enslaved Pueblo Indians, which led to their revolt in 1680, were the hardships of their toil in the mines imposed upon them by their conquerors. It is probable that the "Mines of Cerrillos", about twenty miles southward from Santa Fé, had been opened before the time of Joliet and Marquette; and perhaps, also, those of the Sandia Mountains, near Albuquerque. From that period to the present time gold-mining in New

Mexico has gone on continuously, but with results nowhere near so rich as those which have been attained in Colorado in our days.

As early as 1697, a French writer in Paris predicted that the central and northern regions beyond the Mississippi would be found "opulent in mines". A few years later, the French in Illinois heard, from Indian sources, of the Meramec lead-deposits in Missouri, some seventy-five miles to the southwest of the site of the city of St. Louis, and which they thought eventually might prove to include gold or silver, and perhaps both. It was then generally supposed that lead-bearing mineral usually was rich in silver, if not in gold. Encouraged by such beliefs as these, twenty Canadian Frenchmen, in 1703, attempted to make their way from the Illinois country into New Mexico with the hope of finding mines of precious metals and in expectation of opening trade with the Spaniards of that Province.

Reports were current in 1706 in the primitive French settlements at Kaskaskia and Cahokia, in Illinois, and among the French traders with the Indians along the lower reaches of the Missouri River, that Spaniards from New Mexico had discovered valuable ore, which was understood to be copper-bearing, somewhere in the northern country many leagues from their settlements in the Rio Grande Valley. This mineral was said to be of such value that the enterprising Spaniards were carrying it over the long distance to their homes upon the backs of pack-mules. As the information about the operations of these Spanish miners was attributed to Indians in the West, it seems probable that the story had been taken to the Illinois settlements by Laurain, whose exploration of the Missouri, in 1705, was credited with having gone "high up" on that stream. It was believed at Kaskaskia and Cahokia that the locality of the mine could be reached by way of the Missouri, and some thought that an effort to find the place should be made. So, for the purpose of searching carefully for it, and for jumping the Spanish claim should it be found, an expedition was planned there by Nicholas de la Salle, in 1708, to explore that river much farther than Frenchmen yet had been. But for some unknown reason this projected prospecting enterprise failed to be undertaken at that time. However, the story was not forgotten by the French, as a record of it appeared upon a map of the Mississippi Valley, drawn by the French geographer, Jean Franquelin, a few years later, and who located these Spanish copper-diggings ("Mines de Cuivre") upon the south bank of the western stretch of La Hontan's Long, or Dead, River. As France claimed all of the West that was drained by the Mississippi and its tributaries, it is likely that Franquelin's main purpose was to show that the reported mines were upon French soil. These stories would seem to indicate that the Spaniards to whom they refer had discovered the copper-deposits in what is now the State of Montana.

Other, but less definite, rumors and beliefs as to mines in the West soon were afloat among the French in Illinois and those in the settlements near the mouth of the Mississippi. About the year 1710, some parties of Frenchmen from Canada left Biloxi and went overland in the direction of New Mexico to search for gold mines, but with what success does not appear. In advices to the French Council of Marine, in 1717, the Sieur Hubert, an officer under Bienville, the Governor at the southern capital of New France, said he had learned that the Missouri River and its western tributaries

flowed through "a rich mining country"; and in submitting to the Council a proposition to follow that river to its sources remarked that "we may find the mines worked by the Spaniards". Father Bobe, to whom I have referred in Chapter II, came forward in Paris with another story from his correspondent in Louisiane, who had written saying that Frenchmen had been told by some Sioux Indians that upon the shore of a sea far off in the West there were "bearded men who picked up gold from the strand". The worthy Father believed the region of this sea to be greatly more distant than any Frenchmen yet had explored the central West beyond the Mississippi.

About that time a rumor drifted to the French in Illinois to the effect that Spaniards were working silver-mines in a part of the West that could be reached easily by some of the southerly branches of the Missouri. This tale would seem to have pointed rather directly toward our Clear Creek silver-district.

Accepting these vagrant stories and rumors as representing facts, the English geographer, Herman Moll, in preparing a map of North America, which he issued in 1720, placed across the central region west of the Mississippi a legend saying "This Country is full of Mines".

It was then commonly understood by the Illinois French, as well as by those settled near the mouth of the Mississippi, that the Indians living around the heads of the Platte and Arkansas rivers richly adorned their persons with gold and silver ornaments, which they obtained from the Spaniards in New Mexico.

Such reports and tales as the foregoing, added to what was known of the presence of lead in Missouri, formed the mainspring of John Law's famous "Mississippi Company"—the "Mississippi Bubble", of that time, and which burst with such improvising consequences to the thousands who invested their all in its stock. Le Page du Pratz says, in his *Histoire de la Louisiane*, that "the mine of Merameg, which is silver, is pretty near the confluence of the river [the present Meramec, which enters the Mississippi a few miles below St. Louis,] which gives its name, which is a great advantage to those who would work it, because they might easily by that means have their goods from Europe. It is situate about five hundred leagues from the sea" [the Gulf of Mexico].

Du Pratz also knew of a rich gold-district farther west. On a map in his *Histoire* he located a "Mine d'Or" upon the left bank of the Arkansas, somewhere near the river's crossing of the Kansas-Oklahoma boundary, and said in the text of his book that he himself had seen there "a rivulet whose waters rolled down gold dust". No other man ever has beheld that extravagant stream. His mine of gold also was noted upon an English map of North America, a section of which was used in an issue of the *Gentlemen's Magazine* (London) in 1673.

After the close of the Seven Years' War between England and France, and which ended so disastrously for the latter, we hear no more of French speculations as to the existence of the precious metals, nor of French rumors of their discovery, in the Far West. Excepting such as were made by trappers and traders from St. Louis, there were no French explorations of the region after the peace of 1763, and French geographers gave it but little further attention. Although the great domain again was undisputed Spanish territory, the Spaniards were content in permitting it to remain

practically in its primeval condition, while our own people still were in much ignorance of its character and resources when Time gave birth to the nineteenth century.

This brings us back to the case of James Purcell, our friend from Kentucky, who was the first American discoverer of gold in the Rocky Mountains, as well as the first of our Anglo-Saxon countrymen to reach the Pike's Peak region. In his interview with Captain Pike, at Santa Fé, when relating the particulars of his adventures in the West, and which finally had stranded him in the capital of New Mexico, he stated that he had found gold on the headwaters of the South Platte, in what is now our South Park, while sojourning there between the summer of 1803 and the spring of 1805; and his story bears the impress of truth. Of this incident in Purcell's brief but exciting career as a trader among the western Indians, Pike says in his *Observations on the Interior of New Spain*:

"He assured me that he had found gold on the head of the Plate [the South Platte], and had carried some of the virgin metal in his shot pouch for months, but that being in doubt whether he should ever again behold the civilized world, and losing in his mind all the ideal value which mankind have stamped on that metal, he threw his sample away; that he had imprudently mentioned it to the Spaniards, who had frequently solicited him to go and shew a detachment of cavalry the place, but conceiving it to be in our territory he had refused, and was fearful that the circumstance might create a great obstacle to his leaving the country."

It is probable that Purcell found his gold somewhere in the vicinity of the present town of Fairplay, the county seat of Park County, in which district very profitable placer-mining was done in our pioneer times.

It would seem that Pike did not regard Purcell's discovery as one of important significance, as he makes no comments upon it; nor does he appear to have searched for signs of the precious metals either when he was upon the border or in the recesses of the Colorado mountains. In his Natchitoches letter to Wilkinson he says that among his records and papers that were retained by the Spanish General Salcedo was "a book containing remarks on minerals, plants, &c., with the manners, population, customs, &c., of the savages". But he thought "our memories will make the loss of the latter [the book] of but little consequence". However, his published journal of his wanderings in what is now the State of Colorado, in which he passed near the site of Cripple Creek, and to the borders of the South Park and Leadville mining districts, is barren of references to gold and silver, and also of so much as an expressed suspicion that either existed in the Rocky Mountains. In the letter he wrote at Washington City to Secretary of War Dearborn, in January, 1808, he said:

"I have not the talents nor passions requisite for the Botanist or Mineralogist, but had I possessed them, the various duties I was obliged to perform of commanding Officer, Surveyor, Astronomer, hunter, and advanced guard, together with the dreary season in which we travelled part of the route, with our minds much more actively employed in forming resources for our preservation from famine, and defence against any savage enemy who might assail us, then [than] examining the productions of Nature which was under our feet and instead of our eyes being directed to the Ground, they were endeavoring to pierce [the] Wild before us—or giving distinction and form to moving Bodies on the distant Prairies—or enjoying the rapturous sublimity of the unbounded prospects which were frequently presented to our View's "

Pike's only reference to the precious metals occurs in his *Journal of a Tour through the Interior Provinces of New Spain*. After remarking that certain parts of the Spanish territory through which he passed abounded in silver and gold mines, "which yield immense quantities of those metals, but not so great a revenue to the king as those which are nearer the mint, and consequently present a greater facility to coinage", he goes on to describe the processes of smelting in vogue at Chihuahua, and then abandons the whole subject.

Even after Pike's published report of his ill-starred enterprise in Aaron Burr's interest had been widely read, his record of the fact that gold had been found in the southwestern mountain-border of the Louisiana Purchase gave rise to scarcely any public interest. The so-called "psychological moment" for animating the germs of "gold-fever" among the population of the infant Republic was far off in the future, while no small number of its people still believed that President Jefferson had made not only a very bad bargain financially, but a political blunder that threatened disaster to the young Nation, when he purchased "the remote and worthless Louisiane Province".

But, together with President Jefferson, there were some citizens who had mental glimpses of what has since come to pass in the land that the First Consul of France had sold to Uncle Sam. Among these was one who, in a small volume published at Cincinnati a decade or so after Louisiane had passed to the United States, ventured the following as to the value and character of the Rocky Mountains, which he had not seen, his understanding of them having been derived from accounts given by early travelers:

"These mountains are supposed to contain minerals, precious stones, and gold and silver ore. It is but late that they have taken the name 'Rocky Mountains'; by all the old travellers they are called the Shining Mountains, from an infinite number of crystal stones of an amazing size, with which they are covered, and which, when the sun shines full upon them, sparkle so as to be seen at a great distance. The same early travellers gave it as their opinion that in future these mountains would be found to contain more riches than those of Indostan and Malabar, or the golden coast of Guinea, or the mines of Peru."

The scientific gentlemen attached to Major Long's expedition made no attempt to investigate these opulent mountains in search of traces of their metallic riches. Although well organized, and having the most favorable season of the year for such work, their failure to detect the presence of the precious metals in the Colorado mountains was as complete as that of Captain Pike. Indeed, we hear nothing about gold and silver from Dr. James until the organization had passed from the plains and was proceeding homeward-bound through Arkansas. In his account of the journey from Fort Smith to Cape Girardeau, Missouri, where the party was disbanded, the Doctor says:

"In several parts of the Arkansa territory [apparently meaning the political division], we were shown dollars which were believed to have been coined in some of the upper settlements of White river, and it has been currently reported, that mines of silver exist, and are wrought there. It appears, however, upon examination, that much spurious coin is here in circulation, and it is probable that the White river country, owes its present reputation for mineral wealth, to the successful labors of some manufacturer of imitation dollars.

"Since the time of De Soto, it has been confidently asserted by many who have written concerning Louisiana, that mines of gold and silver exist in that part

of the country of which we are speaking. . . . We are informed in Schoolcraft, that granite exists about the sources of the St. Francis, which are situated near those of White river. Of the extent and character of this formation of granite we have not yet been able to form any definite ideas. It is, however, by no means improbable that to its plates of yellow and white mica we are to look for the origin of the fabulous accounts of the precious metals in those regions. Like the country of the gilded king, the El Dorado of South America, it is probable the gold and silver mines of the Arkansa territory will recede before the progress of examination, first into the wildest and most inaccessible parts, and at length, disappear entirely. We by no means intend to assert that the region in question will not prove of immense importance on account of its mineral treasures. Valuable mines of lead and iron are certainly frequent in many parts of it, and we can assign no reason why silver, and other metals should not be found in the argillite with quartz veins, and in the other rocks of the transition period which are known to exist in these mountains. We only intend to give it as our opinion, that there has as yet been no foundation in actual discovery for the belief that such mines do exist."

The traders and the trappers of the fur-trading period in the Colorado country learned of the presence of gold in the section drained by the headwaters of the South Platte and by its mountain tributaries within a few years after the first American trading-post upon Colorado soil had been built. Some of the trappers gathered small quantities of the metal from the beds of streams that put out from the mountains between the Platte Cañon and the Cache a la Poudre River as early as 1832, but neither they nor the traders regarded the yellow dust with any greater interest than that of passing curiosity.

Sometime in the '30s, a French-Canadian named Du Chet, while trapping in the South Park, picked up from the bank of a stream, supposed to have been Horse Creek, a branch of the South Platte, a piece of crumbling rock that was rich in grains of gold. He carried the ore in his hunting-pouch until he became tired of it, when, without realizing its value and significance, he threw it away. Du Chet went to Santa Fé a few months later, and while there told of the piece of rock with yellow specks in it. The pouch was shaken out, and in the dust that came from it were many small particles of gold. Several Mexicans of some experience in mining induced Du Chet to lead them to the locality in which he had found the mineral. But, much to their disappointment, as the story runs, he was unable to identify the creek, and therefore his Mexican friends, after some fruitless prospecting at random in the South Park, went home empty-handed.

It was told in after-times that during the years in which Vasquez maintained his trading-post, which stood upon the right bank of the South Platte River, opposite the mouth of Clear Creek and near the present northeasterly limits of Denver, it was not an uncommon thing for men connected with his station to bring in bits of gold which they had gathered from the beds of creeks in the vicinity. But, as with others of the kind, these suggestive incidents passed unheeded.

Josiah Gregg, who was identified with the Santa Fé trade over the historic Santa Fé Trail from 1831 to 1840, heard, during those years, of discoveries of gold and silver in the Colorado country and elsewhere in the West. Of these he says, in his *Commerce of the Prairies*:

"Of metallic minerals, iron, lead, and perhaps copper, are found on the [eastern] border of the Prairies; and it is asserted that several specimens of silver ores have been met with on our frontier, as well as about the Wichita [River] and the Rocky Mountains. Gold has also been found, no doubt, in different places; yet it is

questionable whether it has anywhere been discovered in sufficient quantities to make it worth the seeking. Some trappers have reported an extensive gold region about the sources of the [South] Platte River; yet, although recent search has been made, it has not been discovered."

Antoine Roubideau, the French trader among the Indians upon the western slope of Colorado, and who had a trading-post on the Gunnison River, near the site of our town of Delta, in the second quarter of the nineteenth century, found some gold in the southwesterly section of our State during that period. He spent much time and a considerable sum of money in prospecting that region for remunerative "diggings", but it appears that he failed to find any that were profitable.

Among the pioneer American writers on the Far West was Rufus Sage, who visited the Colorado country in the early '40s of the last century, and afterward published an account of his travels in the West in a volume entitled *Rocky Mountain Life*. He had some of the qualities of a philosopher, and was a close if not always an accurate observer. In explanation of the causes of certain climatic conditions he had encountered upon the divide between the headwaters of Cherry Creek and those of the Fontaine qui Bouille, he recorded the following unique theory:

"The country hereabouts, for an extent of upwards of one thousand square miles, is much given to storms of rain, hail, snow, and wind,—and it is rarely a person can pass through it without being caught by a storm of some kind. I can account for this in no other way than by supposing it has some connection with the vast quantities of minerals lying embedded in its hills and valleys.

In the spring of 1844, Sage picked up on the site of our town of Golden several pieces of rock which he suspected were gold-bearing, but did not regard them with the eager interest of an experienced miner.

While officers of Colonel Dodge's command, when it was encamped upon the site of Colorado City, in 1835, "found a number of fine specimens of minerals of different species" in that vicinity, the reports of his expedition contain no hint of a suspicion that the precious metals might exist in the mountains. Frémont, in his several explorations of the Rocky Mountain region, gave scant attention to its minerals; and, with respect to gold and silver, his accounts of his expeditions are barren pages.

William Gilpin, whose name is a familiar one in the political history of Colorado, was one of the many who knew before the middle of the nineteenth century that gold was present in the Pike's Peak country, and was the first of our countrymen fully to recognize the significance of that fact and to anticipate the greatness of the region's mineral resources. When with Frémont, in 1843, he searched for traces of the yellow metal after the party had reached the mountains, and found "colors" in the beds of some of the foot-hill streams. Having knowledge of Captain Pike's account of Purcell's discovery in the South Park, as well as of the later stories of like tenor, he now became convinced that rich deposits of gold eventually would be brought into light within sight of Pike's Peak. Upon his return to civil life after the close of the Mexican War, he again took up his residence in the town of Independence, Missouri, and devoted much of his time to enlightening the people of that State as to the great and varied resources of the Far West. During the '50s, he made public addresses on this subject in several of the Missouri towns. In one of these, delivered

at Kansas City, in 1858, he said that his personal experience in the West, down to the year 1849, had not been "without value".

"The facts then and since collected by me are so numerous and so positive, that I entertain an absolute conviction, derived from them, that gold in mass and in position and infinite in quantity will, within the coming three years, reveal itself to the energy of our pioneers. All the precious metals and precious stones, will also reveal themselves in equal abundance in this region so propitious to their production. Such a development has nothing in it speculative or theoretic. It comes of necessity in the order of time, and as an inevitable sequence to the planting of empire in Texas, in California, in Oregon, in Kansas, and in Utah."

Although vagrant rumors of the presence of gold in the Pike's Peak country had been drifting to the Missouri River for a number of years, Colonel Gilpin's convictions—to which he had frequently given expression earlier in that decade—that they were not without foundation may be said to have afforded such reports their first substantial footing along the Missouri border.

"Old Bill" Williams, the famous trapper and Indian fighter who was Frémont's guide in the winter of 1848-49, and was known everywhere from the Gila River to the headwaters of the Yellowstone, claimed to have found some nuggets of gold in the South Park while trapping there in the autumn of 1848. But he did not think it worth while to give up his old business to become a commonplace toiler with a pick and a shovel and a pan.

In the same year, when a party which included the family of William Bent, the noted trader, bound from Fort Bridger to Fort Bent, was encamped on Crow Creek, a Weld County tributary of the South Platte, Bent's children are said to have gathered several small nuggets of gold from the bed of that stream. However, its basin never developed into a gold-mining district.

Among the stories of early discoveries of gold within the boundaries of our State is one that tells of such a find by some sportsmen from northern Georgia who went to the Rocky Mountains in Colorado, in 1849, for a season's hunt for "big game". According to this tale, these men reported while on their way home and after their arrival there that they had found gold in the channel of a small creek near the mouth of the Cache a la Poudre, where they were encamped in August of that year. It is probable that this story was the basis of the following statement made in some of the memorials which were sent to Congress by our pioneer settlers, in the winter of 1859-60, asking that body to establish a new Territory in the Pike's Peak region:

"Eleven years ago, in the month of August, a party of Cherokees and their allies, in search of game, but prepared for war, discovered, by mere accident, on the banks of the Cache a la Poudre, near its discharge from the cañons of the mountains, small quantities of quartz, partially studded with gold, which, being exhibited on their return, induced another and more peaceful expedition the following season, which resulted in still further, though limited, discoveries in other localities."

I have been unable to find any other record of this "more peaceful expedition", which is here said to have resulted in still further discoveries of gold in the next season, which would have been that of 1849.

Many trains of the host of gold-seekers who went overland to California in that year, having crossed the plains by way of the Arkansas River route, followed the old trail from Fort Bent up to the Pueblo and thence north

to Fort Laramie, and which skirted the foot-hills from the Arkansas to Long's Peak. Some of these fortune-hunters made superficial investigations in the beds of the mountain affluents of the South Platte, and found gold. But as they expected to take out such metal by the shovelfull when they had reached the coast, they passed on without attempting a more thorough examination.

Next we have another company of Cherokee Indians, some of whom formerly had dwelt in Georgia, figuring among the early discoverers of gold in the land of Colorado. These enlightened red brethren, accompanied by two white men named Ralston, who were of Cherokee connection by marriage, having followed the Arkansas to the mountains, encamped upon the site of Denver late in the spring of 1850, while on their way to the California gold-diggings. During their halt of several days at the mouth of Cherry Creek they prospected the vicinity and found a little gold in the bed of the South Platte and in Cherry, Clear and Ralston creeks, but not enough to induce them to remain longer and search for more. It was from these people that Ralston Creek, a small tributary of Clear Creek, received its name—in honor of the two white men of the party.

A Cherokee Indian, probably a half-breed, named Parks, while passing from the Arkansas River to Fort Laramie with a drove of cattle, in 1852, halted at Ralston Creek to rest his stock, and while tarrying there washed out some gold from its sands. Parks, who was said to have heard from Indian relatives that the yellow metal had been discovered near Pike's Peak, afterward expressed the belief that "rich diggings" might be developed upon the banks of the Ralston. In the first year of Colorado's permanent American settlement the course of that stream became the scene of much activity in the feverish search for gold by amateur miners, but with rather indifferent results.

When William N. Byers was going from Iowa to Oregon, in 1852, to engage in the survey of public lands in that Territory, he and his associates stopped at Fort Laramie to refit for the remainder of their journey; and while there he was told that several old hunters and trappers who frequented the fort, occasionally had taken gold from the beds of creeks "near Pike's Peak".

In the summer of the next year, a man named Norton, who was a member of a company bound for California, exhibited at Fort Laramie some gold-dust which he said he had "washed out down at Pike's Peak". Beyond causing a little speculation among the soldiers and a few others, this fresh proof that the peak country contained gold excited no interest at the fort. The older of the Laramie people said it had been known for years that there was "some gold scattered around down there", but that no one ever had seen enough of it to appear to make a trial at mining worth while.

Although it had now been about fifty years since the first discovery of the more valuable of the two precious metals in the mountains of Colorado by an American, nothing whatever had been done toward making a thorough exploration of them by experienced men to ascertain the value and extent of the deposits. About the time when negotiations for peace with Mexico were begun, and when it was generally understood that the United States had determined to acquire a vast area of Mexican territory in the adjustment of affairs between the two countries, the newspapers

along what then was the American frontier of civilization west of the Mississippi revived and put into circulation more or less exaggerated versions of the earlier fugitive tales of "gold discoveries at the eastern base" of the "Rockies"; or, as more commonly expressed, "out at Pike's Peak". However, as the published stories were lacking in definite details as to times, places and results, and as none of the "virgin gold" of these alleged "diggings" ever had appeared in the border settlements, the newspaper accounts failed to command serious attention sufficient to start a movement of prospectors to the mountains.

But these newspaper discussions of vaguely-known things soon were totally eclipsed by the wonderful golden news from California, in 1848; and in the excitement raised throughout the States by the reports from that part of the newly-acquired possessions the Pike's Peak "gold-fields" passed from public notice and remained in obscurity for nearly a decade. During the fierce political embroilments that racked Kansas in the middle '50s and kept the Nation at large in a state of uneasiness, and at which time the California "gold-fever" had become reduced in temperature, new but still indefinite rumors of "gold discoveries" in the neighborhood of Pike's Peak again occasionally drifted into the border settlements in the eastern parts of Kansas and Nebraska. But, as the thoughts and interests of the people there largely were concentrated upon the issue of the Kansas turmoil, these received next to no attention. In the meantime, as I have related in a preceding chapter, the fur business in the region of the peak had declined so nearly to extinction that there was but one trading-post and comparatively a small number of frontiersmen now remaining in the country. Moreover, the Indians, influenced by the Kansas rumpus, were becoming restless and disposed to be troublesome; and there was a talk among some of them about uniting and taking to the war-path to drive the white men who were yet lingering upon their lands back to the Missouri River, with orders to keep out of the Indian hunting-grounds thereafter. Up to that time, none of the fur-gatherers ever had made any serious attempt at even the simplest form of placer-mining. The traders had stuck closely to the management of their posts, and it had not occurred to the hunters and trappers that there might be more profit in the work of digging for the yellow metal than in that of killing wild animals for their pelts. However, the drudgery of mining was not to the taste of the frontiersman of the West, though he thought nothing of making a tramp of fifty miles between sleeps. So the "discovery" of gold in Colorado still was left slumbering in a chamber of the future.

Public attention was not again turned to the golden possibilities of the Pike's Peak region until the spring of 1857, when reports of the precious metal having been found in significant quantities in the vicinity of our famous mountain-landmark once more were floating from one to another of the towns and hamlets in eastern Kansas and Nebraska and western Missouri. It appears that army gossip and tales told by men lately returned from the mountains were the immediate causes of this revival, but whether they were based upon recent revelations or were mere repetitions or variants of the old stories now would be hard to determine. Nevertheless, the border newspapers eagerly took them up, and as their embellished versions of the drifting rumors traveled eastward they grew in grandeur and spread the "germs" of gold-fever wherever they went. But

as there was no immediate development of the contagion, that year passed to its close without having brought on an actual initiation of a movement to the mountains to explore intelligently and thoroughly the birthplace of these alluring tales.

It is highly probable that if conditions in the States had been different at that time the beginning of the permanent American settlement of Colorado would have been made a year earlier than it was. The financial panic of the summer and autumn of 1857 swept over the country, from the Atlantic seaboard to the farthest lodgment of civilization in the West, precipitating disaster upon individuals, corporations, municipalities, counties, States, and even the Nation. Wreck and ruin were spread everywhere. The flimsy, trouble-breeding banking system of that period—if such a weak and makeshift fabric properly may be termed a system—was chiefly responsible for the memorable economic revulsion of that year, the severity of which has not been surpassed by that of any similar misfortune in later times. Back of the banks and depending on them were inflated credits, overbuilding of railroads, wild speculations, the “booming” of unnecessary “cities” in impossible places, and all of the other castles in the air that usually precede and also usually cause a financial collapse of far-reaching evil consequences. State banks with their families of “branch” establishments, and hundreds of private banks, had flooded the country with their trashy “currency”; and when the strain could no longer be borne these concerns tumbled down aheap, leaving the bulk of their promises-to-pay of no more value than that of waste paper. Public and private credit and resources suffered alike, and treasuries were empty, with nothing in sight to replenish them. The weak national administration was about as badly off as that of any of the States, and was impotent either to help itself or to be of service to the people. The paralysis affected every avenue of business and occupation, nearly every man had its grisly effects brought home to him, and the wreckage so littered and obstructed the paths of enterprise that industry was almost prostrated.

During the winter of 1857-58, the newspapers of the States teemed with greatly magnified forms of the fresh vagabond stories that had come from the western frontier, and with wild speculations as to the opulence of what they termed, with hearty public approval, “the Pike’s Peak Gold Region”, which was so called from spontaneous enthusiasm rather than from any definite and certain knowledge. Furthermore, all the old theories, predictions, rumors and travelers’ yarns bearing upon the subject were recalled and again put into commission.

In the spring of 1858, the people of the States were in the depths of the “hard times” which the recent panic had entailed. Thousands were out of employment, thousands out of business and bankrupt beyond hope, thousands out of homes; and there was neither money, credit, nor opportunity. Although the placer-mines of California had seen their best days and now were in decadence, “the chances for a poor man” which they had afforded were not forgotten. So the public mind was open and eager for new golden sensations from the Great West, the eastern wild edge of which was at no long distance on the farther side of the 95th meridian. The gilded newspaper-accounts of what had been done and the published discussions of what might be developed at Pike’s Peak spread a contagion that took a firm hold upon the public imagination; and in popular argu-

ment it was insisted that there must be some fire at the sources of all this smoke.

Additional evidence that tended to confirm such a belief was passed eastward from the Kansas frontier at that time. Early in the spring of that year, two Delaware Indians, named Little Beaver and Fall Leaf, whose people lived upon a reservation in the eastern part of that Territory, appeared at the then primitive town of Lawrence on their way home from the far West, having with them some gold-dust and a few small nuggets which they said they had collected while near Pike's Peak in the summer and autumn of the year before. Fall Leaf asserted that he had served as a scout and guide in one of Frémont's expeditions, and that while in that service he had found gold in the beds of streams at the eastern base of the mountains. As the reader has seen, Frémont mentions that he had two Delaware Indians—"a fine-looking old man and his son"—with his expedition of 1843. Fall Leaf may have been the son of the "Pathfinder's" old guide.

Another discovery of the yellow metal within sight of Pike's Peak was made a few weeks after Little Beaver and Fall Leaf had shown their gold and told their story at Lawrence. General Marey, in his *Thirty Years of Army Life on the Border*, relates that in the fore-part of May, 1858, when he was encamped upon the site of Denver, while upon his return march from New Mexico to Fort Bridger with supplies for General Johnston's Army, he saw gold that one of his men had taken from the bed of Cherry Creek. Of this circumstance, he says:

"We found the river [the South Platte] at such a high stage, and so rapid, that we were compelled to encamp here for four days and construct a flat-boat, in which we crossed our entire party. . . . While our ferry-boat was being constructed, one of our civilian employees washed out from the sands of Cherry Creek a small amount of gold dust, which he showed to me."

This citizen employee was George Simpson, who, as I have stated in a foregoing chapter, claimed to have been—and probably with truth—the builder of the "Pueblo", which stood upon the site of our city of Pueblo.

Some actual mining—the first in Colorado in which a citizen of the United States took part—had been done in the vicinity of the mouth of Cherry Creek in the year before General Marey and his command halted upon the site of Denver. John S. Smith, an old plainsman, and at that time one of the roving traders among the Indians, in partnership with a few Mexicans opened a placer upon the right bank of the South Platte, about three miles above the mouth of the creek, and within the present corporate limits of the city of Denver. According to Smith's account, given to the founders of Denver in the autumn of the following year, the party took out "a considerable quantity" of gold, but did not continue the operations longer than the summer of 1857. From these circumstances the place became known to the pioneers of Denver as the "Mexican Diggings", which were worked by some of them with fair profits late in the autumn of 1858 and for several months in 1859. Smith, who was about half Indian in everything excepting blood, had been in the far West since 1826. Early in his career as a plainsman, he joined the Cheyenne Indians, married one of their squaws and made himself a chief of great authority among them. After some fifteen years of this life he abandoned it and engaged in trading in a small way. Upon the arrival of our pioneer set-

tlers, in the year after his mining venture, Smith became identified with the organization of the primitive Denver town companies, but was of no great service to their promoters.

General Marcy believed that the discovery of gold in the bed of Cherry Creek by his civilian employee, and for which an opportunity was afforded by the adventitious delay of his marching column of troops, was the indirect cause of the permanent American settlement of Colorado. In his interesting book from which I have quoted above, referring to the man who washed out the dust and expressing his conclusions as to the historical importance of the incident, the General says:

"Soon afterward he was discharged and went to St. Louis, and in a short time the miners commenced flocking to the locality, and laid out a town which has continued to flourish ever since, and at this time [1866] contains several thousand inhabitants. It is called 'Denver City', and I feel quite confident that the representations made by our discharged teamster in St. Louis and other places, were the origin of the location and establishment of a new city and Territory."

In the month in which General Marcy and his command were detained upon the ground where Denver now stands, two caravans of Colorado Argonauts—the first of the true American pioneers of our State—slowly were wending their way across the plains toward the Pike's Peak country. One of these had been organized in the northern part of the distant State of Georgia for the purpose of making a thorough exploration of the general vicinity of the peak, and so finally to determine whether the country 'roundabout was a gold-region or something else. Among its members were several men who had had practical experience in the placers of California during the hey-day times of surface-mining there. The other was a band of young and inexperienced enthusiasts, who, depending on Chance for their rewards, had joined fortunes—figuratively rather than literally, their worldly means being slender—at Lawrence, Kansas, where some of them had heard the story told by Little Beaver and Fall Leaf and had seen the modicum of glittering wealth that these Delawares had brought home with them from the mountains in the West. Three weeks had sufficed for their preparations for the long trek to Pike's Peak.

The Georgians drew up and went into camp at the mouth of Cherry Creek about six weeks after General Marcy had passed on into the North. The Kansans halted in our "Garden of the Gods" and encamped there in the first week in July.

CHAPTER X.

PIKE'S PEAK ARGONAUTS.—COLORADO'S FOREMOST PIONEER.—THE RUSSELL EXPEDITION.—ORGANIZATION OF THE COMPANY AND ITS DEPARTURE FROM THE KANSAS FRONTIER.—ITS DIVISION OF CHEROKEE INDIANS.—PERSONNEL OF THE PARTY.—ITS ARRIVAL AT THE MOUTH OF CHERRY CREEK.—THE LAWRENCE EXPEDITION.—CIRCUMSTANCES OF ITS ORGANIZATION, AT LAWRENCE, KANSAS.—MUSTER-ROLL OF THE COMPANY.—ITS COURSE TO THE MOUNTAINS.—ENCAMPMENT OF THE PARTY IN THE "GARDEN OF THE GODS".—PRELIMINARY PROSPECTING BY THE RUSSELL MEN.—DEFECTION OF THE CHEROKEES AND THEIR RETURN HOME.—IMPORTANT DISCOVERY OF GOLD ON THE SOUTH PLATTE BY THE RUSSELL COMPANY.—THE DRY CREEK DIGGINGS.—PROSPECTING EXCURSION INTO NORTHERN COLORADO.—PLANS FOR FUTURE OPERATIONS.—WINTER QUARTERS BUILT AT THE MOUTH OF CHERRY CREEK.—MOVEMENTS OF THE LAWRENCE MEN.—FAILURE TO FIND GOLD ON THE HEADWATERS OF THE FONTAINE QUI BOUILLE.—THEIR TOUR TO THE SANGRÉ DE CRISTO PASS IN SEARCH OF THE METAL.—THE PARTY'S TREK TO THE SOUTH PLATTE.—ESTABLISH A CAMP AND ORGANIZE A TOWN COMPANY.—INCOMING OF OTHER COMPANIES OF PIONEER FORTUNE-SEEKERS.—MOUTH OF CHERRY CREEK THE POPULAR DESTINATION.—THE BOULDER CAÑON BAND OF PROSPECTORS.—GATHERING OF FRENCHMEN AND AMERICANS ON THE CACHE A LA POUDRÉ.—THE O'DONNELL PARTY AND ITS TOWN-SITE.—SETTLEMENT AT THE MOUTH OF THE FONTAINE QUI BOUILLE.—POLITICAL DIVISIONS OF THE PIKE'S PEAK COUNTRY IN 1858.—A "NO MAN'S LAND".—ITS EXEMPTION FROM TERRITORIAL JURISDICTION AND THE OPERATION OF TERRITORIAL LAWS.—"ARAPAHOE COUNTY, KANSAS, TERRITORY".

The leader of the Argonauts from Georgia who entered the Pike's Peak country in the month of June, 1858, was William Green Russell, a native of South Carolina, but who had been a citizen of Lumpkin County, Georgia, since reaching manhood. His rank in the history of the permanent American settlement of the land of our State is that of the foremost pioneer. Russell was an experienced placer-miner, having worked in the thin gold-fields of northern Georgia and also in the more opulent diggings in California. In 1849, he went overland, by way of the Platte River and Sublette's Cut-off, to the Pacific Dorado, where he engaged in mining until the summer of 1850, when he returned home, by way of Panama. In the autumn of that year, he went back to California by the same route he had taken in 1849, and was accompanied by one of his brothers, Dr. Levi J. Russell. The two remained in the gold-fields of that State until late in 1852, returning to their homes in Lumpkin County, Georgia, at the close of that year.

It so happened that neither of these brothers, when on their journeys to and from California or during their stay there, heard any of the vagrant reports that were afloat in that period telling that gold had been found in the vicinity of Pike's Peak at various times. However, some of these rumors came to them not long after their return to Georgia at the end of 1852, but were discredited because of the vagueness in which they were clothed.

At that time there was living in Dablonaga, the county seat of Lumpkin County, Samuel Ralston, a near relative of the two men of his surname who were members of the Cherokee party, which, as I have related in the preceding chapter, passed through the Pike's Peak country in the spring of 1850, bound for California. After a stay of two years in that "Land of Gold", but, like thousands of others, without gathering much of its yellow metal for themselves, these people trudged back to their homes in the Indian Territory. Some time after their return, the Ralstons wrote to Samuel Ralston informing him of the discoveries of gold made by them and their Cherokee associates, near Pike's Peak, when they were on their way to the western coast. Several months later, Samuel Ralston told William G. Russell of the news he had received from his relatives in the West, and which was the first definite information Russell had heard as to the presence of gold in the Pike's Peak region. Shortly afterward, a suggestion came from the Indian Territory end of the line that a company be organized to go to Pike's Peak and thoroughly prospect the country around it. But as the actual results of the Cherokee party's discoveries had been of small value, and as Russell had formed other plans for the future, the proposition "fell through" and was abandoned.

Early in the spring of 1857, William G. Russell and another of his brothers, J. Oliver Russell, together with Samuel Bates, and J. H. and R. J. Pierce (who were brothers, and also were related to the Russell brothers), went from Georgia to eastern Kansas for the purpose of "taking up" land, which they did on Rock Creek, a small tributary of the Big Blue River, and upon which they intended to locate. The Russell brothers and Bates returned to Georgia in the following summer, leaving the Pierce brothers to look after the several land-claims.

According to the recollection of one of them, the members of this party contemplated going on to Pike's Peak in that year. In the year 1900, when the present writer was engaged in the preparation of his *History of Denver*, published in 1901, he received from R. J. Pierce, then a practising physician at George's Creek, Arkansas, a communication in which the Doctor said that William G. Russell, recalling the report that had come to him from the Indian Territory, through Samuel Ralston, of the discoveries of gold made near Pike's Peak by the Cherokee company of 1850, proposed, after they had selected and "filed upon" their lands at Rock Creek, that they go to the Rocky Mountains on a prospecting tour. Of the reasons for relinquishing this project, Dr. Pierce said:

"In May, about the 15th, we arrived at Fort Riley, Kansas. Green Russell had an interview with the commander of that post who refused to let us go farther, as General Harney was then having serious trouble with the Indians in the far west, and many of the tribes were disposed to be aggressive. We were advised to postpone our expedition until the next spring, when it would be much safer to make the trip. We then turned back from Fort Riley and went to Rock Creek Falls, Kansas."

This statement having been referred to Dr. L. J. Russell, who was then living and engaged in the practise of medicine at Heidenheimer, Bell County, Texas, he commented upon it as follows:

"I think Dr. Pierce is in error in recalling after so many years that my brother actually intended to extend the Kansas trip of 1857 to so distant a place as Pike's Peak. Green may have talked about it and made inquiries with relation

to the western country, but I am sure he had no serious thought at that time of going to Pike's Peak. Before leaving home for Kansas in 1857, there was no talk of going to Pike's Peak that year. Had the land-claim party left with the intention of going there, the expedition would have been the talk of the whole county. Green did not leave home prepared to make such a trip, nor for a long absence; and he came back about the time he had expected to. He certainly would have mentioned such an enterprise to me before he went away, or upon his return (which he did not) had he really contemplated doing so as Dr. Pierce recalls. It was not until the winter of 1857-58 that a Pike's Peak expedition was seriously proposed among us at our homes in Georgia. Green never mentioned having been at Fort Riley in 1857, nor having gone in that year farther west than the Big Blue, as he certainly would have done upon his return home, or upon our way out in the spring of 1858, were Dr. Pierce's recollections free from the element of romance. Whatever thought Green may have had of Pike's Peak in 1857, he evidently did not consider it of enough importance to mention upon his return home that year, nor at any other time."

When the extravagant accounts of what was alleged to be going on in the "new gold-fields at Pike's Peak" reappeared in many of the newspapers in the States, in the autumn of 1857, and which had but little in them that was new, William G. Russell, and his brothers, Levi and Oliver, who were then at their homes in Georgia, resolved to organize a company to go to the Rocky Mountains and prospect the source of these persistent tales. They arranged by correspondence with some of their Cherokee acquaintances in the Indian Territory to have a party from that nation to participate in the enterprise, and notified J. H. and R. J. Pierce, at Rock Creek, Kansas, to hold themselves in readiness to join the company upon its arrival at the Kansas frontier. This was the first American movement made for the purpose of a thorough search for gold in the Pike's Peak country. Since their removal from Georgia, the Cherokee people had advanced in enlightenment quite far enough fully to appreciate the value and consequent power of gold, and to be as keen for possessing it as any of their pale-faced brethren.

Of the organization of the expedition and its departure from the frontier of Kansas, the following account, which I received from Dr. Russell in the year 1900, is taken from my *History of Denver*:

"A party was finally made up in Lumpkin county, consisting of the following-named persons: W. G. Russell, J. O. Russell, L. D. Russell, Lewis Ralston, William Anderson, Joseph McAfee, Solomon Roe, Samuel Bates, and John Hampton. This party left home on the 17th day of February, 1858, and expected to be joined by the Cherokee party at the Cherokee town of Maysville, near the northeastern corner of the Cherokee Nation's territory. When we reached Maysville we found that the other party was not ready to move. After a conference with the leader of the Cherokee party, the Rev. John Beck, a Baptist preacher, and a future time and place of meeting agreed upon, our party moved on to Rock Creek, Kansas, where W. G. Russell had taken up land in 1857, and where we went into camp and remained several days. J. H. and R. J. Pierce joined us at Rock Creek, and from that point W. G. Russell, J. O. Russell, William Anderson, Lewis Ralston, and Joseph McAfee went to Leavenworth and exchanged our mule teams for oxen, and procured a general outfit. Upon their return we left Rock Creek and moved to Manhattan, Kansas, where we camped for two or three days. Here we were joined by William McFadding, William McKimmons, Jacob Masterson, Valarious Young, Theodore Herring, J. Brock, Luke Tierney, T. C. Dickson, George L. Howard, and a Frenchman, whose first name, Henry, is the only one I remember. Leaving Manhattan, we crossed the Kansas River near that place and struck out for the old Santa Fé Trail, on the Arkansas, reaching it near the Great Bend. Here we came up with Mr. Beck and some thirty other Cherokees, on June 3d; they having arrived

somewhat in advance of us and we having seen signs of their presence ahead of us for a couple of days."

Preacher Beck had had no difficulty in recruiting his company of prospectors, but while he and his party were moving toward the Arkansas River they had some trouble with the Osages. This caused several of the Cherokees to become apprehensive of more serious encounters when the expedition had advanced into the country of Indians who were running wild, and therefore they withdrew from the company and returned home. The others, being more resolute men, decided to go ahead, believing that when they were united with their white partners under William G. Russell the combination would be strong enough to resist any attack likely to be made.

Among Beck's contingent was George Hicks, Sr., an Indian of ability and a notable man in the Cherokee Nation. He was a lawyer by profession, and had served on the Cherokee Bench. Other but less conspicuous members of the party, whose names are known, were George Hicks, Jr. (a son of the Judge), Ezekiel Beck, and Pelican Tigre. While on the way to the Arkansas River, the Cherokee company was joined by thirteen white people. These were Philander Simmons, a frontiersman who had been in the Pike's Peak country as early as 1842; George McDougall, a brother of Senator McDougall, of California; Levi Brumbaugh, a man named Kirk, with his wife and two children, and four other white men—Brown, Taylor, Tubbs, and Kelly, the latter having with him his wife and her sister.

When the two parties were united, their outfit made an imposing caravan, consisting of thirty-three yoke of oxen, fourteen wagons, two two-horse teams, and some twenty Indian horses; while their people numbered sixty-four. But not all were to be hunters for gold. Some, including the women and children, were destined for Fort Bent; Philander Simmons and two or three others were going to the mountains upon independent errands; while McDougall was bound for the mouth of the Fontaine qui Bouille, apparently for the purpose of leaving the influences of civilization far behind him.

The train arrived at Fort Bent ("New Fort Bent") on June 12th, and halted there. A few bands of Indians had been met, but they made no trouble for the company. In accordance with their custom, they levied a toll upon the wayfarers, and which, after the pipe had been smoked, was paid with some trifling articles that had been provided for this purpose.

On June 16th, the organization of gold-seekers, including Philander Simmons and the ten men who had joined the Russell division at Manhattan and who had been adopted into the party, left Fort Bent and struck across the country northwesterly to the sources of Squirrel Creek. As Preacher Beck had understood that the Cherokee company of the year 1850 had found some gold in the hills of that locality, several members of the organization put in a part of two days in fruitless search for more. Crossing the divide to the headwaters of Cherry Creek, the gold-hunters prospected the bed of that stream as the caravan moved down its course, but without results of much significance. As I have mentioned in the preceding chapter, the expedition reached the mouth of Cherry Creek and encamped there on June 24th.

The "Lawrence Party", as it was usually called in our pioneer times, formed at Lawrence, Kansas, was only ten days behind the Russell expedi-

tion. Its members, inspired to immediate action by the story told in that town by the two Delaware Indians, Fall Leaf and Little Beaver, and which was regarded as a confirmation of the vagabond previous tales of discoveries of gold at Pike's Peak, had organized hurriedly, in eagerness to be early occupants of the field. The company, as finally constituted, consisted of the following-named persons:

| | |
|-------------------------------|-----------------------------------|
| Albert W. Archibald, | "Pap" Maywood, |
| Albert F. Bercaw, | William McAllister, |
| Blackman, | McKay, |
| Giles Blood, | John D. Miller, |
| A. J. Bowen, | Austin R. Mills, |
| Joseph Brown, | Robert Middleton and his wife and |
| William J. Boyer, | child; |
| William Chadsey, | Charles Nichols, |
| John A. Churchill, | William Parsons, |
| Frank M. Cobb, | George Peck, |
| William Copley, | Robert Peebles, |
| Cross, | William Prentiss, |
| John Easter, | William Regan, |
| Adnah French, | Charles Runyon, |
| Peter Halsey, | George W. Smith, |
| William Hartley, | William N. ("Nick") Smith, |
| Josiah Hinman, | J. H. Tierney, |
| James H. Holmes and his wife, | John ("Jack") Turner, |
| Anna A.; | Augustus Voorhees, |
| George Howard, | James H. White, |
| Howard Hunt, | A. C. Wright, |
| Roswell Hutchins, | Jason T. Younker. |

The only man in the party who was known to have had any experience in mining for gold was J. H. Tierney, who had been in California in the palmy days of placer-mining in the Sacramento Valley. He was elected Captain of the Lawrence wagon-train and directed its movements to its destination. The membership of the company, as in the case of that of the Russell party, included several persons who were not, strictly speaking, of the organization, but had availed themselves of the opportunity for securing safe conduct to the mountains. These were Charles Holmes and his wife, Robert Middleton and his wife and child, and William Chadsey, who was associated with Middleton.

Leaving Lawrence on May 19th, with a train of eleven wagons drawn by oxen, these pioneers took a southwesterly course across the beautiful prairies of eastern Kansas to Council Grove, a famous camping-place on the Santa Fé Trail. Thence they traveled that old highway to its crossing of the Arkansas River, where they took the by-trail that led on up along the northward bank of that stream to the base of the mountains; their wagon-wheels moving in the tracks of those of the Russell expedition. Before their arrival at Fort Bent, the Lawrence men heard of that organization having passed on ahead of them, which news stimulated them to hasten their progress toward their golden goal. From Fort Bent they continued their course up the Arkansas to the mouth of Chico Creek, which is some fifteen miles below our city of Pueblo, and then proceeded

northwest until they struck the *Fontaine qui Bouille*, at a point about twelve miles north of Pueblo. Here they turned to the northward, and on the sixth day of July went into camp on the present Camp Creek and in the edge of the "Garden of the Gods". Most of the golden stories they had heard had radiated directly from Pike's Peak; and now these sanguine fortune-hunters were lighting their camp-fires in the evening shadows of that lofty landmark.

Although the fur trade of the region had become reduced almost to extinction ere that time, the Pike's Peak country was not altogether uninhabited and unfrequented by white men when our Argonauts of 1858 entered it. Aside from those who occupied Fort Bent and those who formed the garrison of Fort Garland, and Major Head's Mexican settlers on the Rio Conéjos, there were some of the restless hunters and trappers and a few roving traders among the Indians still coming and going; and occasionally a party bound to or from the farther West passed the peak. At that time, also, the Hockaday & Liggett line of stage-coaches was in operation and carrying mails between St. Joseph, Missouri, and Salt Lake City, by way of Fort Laramie.

The Russell company did not tarry at the mouth of Cherry Creek, but in the morning of June 25th crossed the South Platte River and moved toward the mountains. Forging Clear Creek at a point several miles east of the foot-hills, the party went over to Ralston Creek, where camp was made. After putting in most of the time of two days in examining the bed of that stream, but with results not very encouraging, the prospectors returned to the mouth of Cherry Creek and reoccupied their former camp-site in the evening of June 28th.

While on Ralston Creek, the Indian members of the organization had begun to manifest signs of waning enthusiasm and to show that they were not in possession of the industry, patience and hopefulness essential to the character of successful gold-hunters, and which also are traits of the confirmed though unsuccessful prospector. In the evening of the day of the party's return to Cherry Creek, Preacher Beck and the other Indians announced their intention to start back home on the next day; and eight of the white men, including four of the Georgians, said that they were ready to go, too. Fortune-hunting in the "Pike's Peak gold-fields" had lost its charms for them, though they had not been engaged in it ten days, all told. The Cherokees were the more discouraged, and most of them were homesick. Moreover, they had conceived that surely the party would have serious trouble with the Indians of the country should they suspect an intention upon the part of the expedition permanently to occupy it, and which was another reason for the resolution to leave forthwith. The discontented white members had come to the conclusion that there would be nothing in the mining business in the Pike's Peak region, and that the company had come upon a fool's errand. William G. Russell and his steadfast associates tried to persuade the malcontents not to disrupt the organization, but to stay a while longer; pointing out that but little prospecting yet had been done, that they had found some proof of the presence of gold, and that further search certainly would reveal the metal in profitable quantities. But the Cherokee mind was made up to go, and neither argument nor hopeful persuasion could change it. The Indians set out upon their homeward journey at noon of the next day, taking the route by which

they had come from the Arkansas River, and with them went the discouraged pale-faces, leaving the rest of their comrades to remain and hunt for gold as long as they cared to do so. The departing white men were T. C. Dickson, J. Brock, George Howard and the Frenchman, Henry, all of whom had been adopted into the company at Manhattan, Kansas; Philander Simmons, the frontiersman, who put off to resume his old business as a hunter and trapper; and four of the Georgians: William Anderson, John Hampton, Joseph McAfee, and Lewis Ralston. After the defection of Preacher Beck and his fellow-Cherokees, Indians of that nation do not again figure in events associated with the pioneer history of the country that is now the State of Colorado.

Before these pilgrims reached the Arkansas River, Dickson heard of the Lawrence party's advent, whereupon he deserted the deserters and made off to find these newcomers, joining them at their camp in the "Garden of the Gods" on the next day after they halted there.

The Russell company now was reduced to thirteen men: William, Levi, and Oliver Russell, J. H. and R. J. Pierce, Samuel Bates, and Solomon Roe, of the Georgia contingent; and Theodore Herring, Jacob Masterson, William A. McFadding, William McKimmions, Luke Tierney, and Valarius Young, of the Manhattan addition. The leaders of the Russell expedition had come into the country with a determination carefully to prospect the eastern base of the mountains northward from the Arkansas River, having especially in view the parts drained by the South Platte and its mountain tributaries; and in the event of failure here to go to the Black Hills (the present Laramie Mountains, of Wyoming), in which, according to vagrant reports that were in circulation at that time, some gold had been found. Therefore they and their remaining associates, undismayed by the decimation of their party, immediately resumed prospecting, turning their attention to Cherry Creek and the River Platte.

However, not much time was given to the creek. Several of the men investigated its bed for a mile or so from its mouth and found "colors" of gold here and there, while others applied themselves to the river. On June 30th, the camp was moved up the eastward side of the Platte to the place where the Indian trader, John S. Smith, and his Mexican partners had mined in the year before, near the river's channel close to its intersection by Denver's present Virginia Avenue, two and one-quarter miles south of the State capitol. Here, on the next day, five or six dollars' worth of dust was washed out, and on each of two or three succeeding days values amounting to about ten dollars were obtained. Moving on up the river (south), the prospectors made their next halt at the mouth of the rivulet that discharges into the Platte just above the present "Overland Park", and where they worked a day or so, but with indifferent results. Their next move was to the mouth of the stream now called Little Dry Creek, that flows through the town of Englewood, which joins the southern limits of Denver. In their first day's work in the bed of this creek, at a spot a short distance from its mouth, more gold than they had yet seen in any place since the beginning of their investigations rewarded their labors and enlivened their hopes—a discovery that developed into the most significant and important made in the Pike's Peak country in that year. During the next few days, the party washed out "several hundred dollars' worth" of dust from the sands of Little Dry Creek.

While the Russell men were engaged in this agreeable labor, a party of wayfarers upon their way from Salt Lake City to Westport, Missouri, encamped near the mouth of Ralston Creek, in the bed of which they found some grains of gold. One of them, a man named Cantrell, visited the Dry Creek diggings. Upon his departure he was given the full of a small sack of the sand and silt in which his hosts were working, and which he carried to Westport, where it was carefully washed by an old California miner named Ira Evans, and for its quantity yielded a fair amount of gold. This result, together with an exaggerated account of the richness of the Dry Creek diggings, were heralded as final confirmations of the reality of the "Pike's Peak gold-fields", and caused no small stir as they appeared in one newspaper after another in the States.

By the middle of July, the work of the Russell men at Dry Creek had ceased to be mining and become lean prospecting farther up its course and also in the bed of the Platte River, in the immediate vicinity. At that time, six members of the party set out upon an excursion up the river, and went a few miles into the South Park, but came back with empty hands. On the return of these scouts from their barren journey, the company decided in council to explore the country to the northward. Leaving "Placer Camp"—as the Dry Creek diggings had been named—in the fore part of August, the prospectors proceeded leisurely along the base of the foot-hills, examining the creek-beds and other promising places as they advanced, until they were beyond the locality in which the Medicine Bow Mountains join the main range, in what is now our Larimer County. But this tour yielded no better results than had come from that made by the detachment which went to the South Park. Its farthest northing appears to have been somewhere near the place where the Cache a la Poudre escapes from the foot-hills, and where the party encamped on September 4th. In the account of this excursion given me by Dr. Russell, he said:

"That night snow began falling, and continued all next day. Realizing that we were too far north, we started on our return journey to the Platte, and reached our old camp [Placer Camp] about the middle of the month."

A council now was held to determine plans for the future. Expecting an early oncoming of winter, and believing it inexpedient to attempt further prospecting during the remainder of the autumn, William and Oliver Russell decided to return to their homes in Georgia and there to organize another and larger company to come out in the following spring with an ample outfit and an abundant supply of provisions for the next season's operations, while the rest of the party agreed upon building winter quarters and remaining on the South Platte until the arrival of the proposed reenforcement of men and supplies. The leaders of the company knew that the placer-gold they had found at Smith's abandoned diggings and in the bed of Dry Creek, near the mouth of that stream, had been carried down by water from gold-bearing lodes, that probably were rich in the metal, and which existed somewhere higher up on the South Platte or on some of its affluents, and were convinced that these lodes could and would be discovered. Upon a suggestion by Dr. Russell, it was also decided that the winter quarters for those who were to stay should be built at the mouth of Cherry Creek.

It may be remarked here that while Placer Camp was the scene of the

most encouraging discovery of gold made in the Pike's Peak country in 1858, and was a place of great interest to most of our pioneers of that year, its locality did not become a mining-district of much importance in after-days.

About the time the Georgians had settled their plans for the immediate future, the old plainsman, roving trader and erstwhile miner, John S. Smith, appeared at Placer Camp on a friendly visit to them. When he was informed that most of them intended to remain on the South Platte until spring, he proposed that he be allowed to join them for the winter, and that he and they build a "double-cabin", one part of which he with his Indian wife and other belongings should occupy. While the Georgians had not been molested in any manner by Indians, they thought the trader's great influence among the Cheyennes and the Arapahoes would assure them a continuation of this immunity from annoyance during the winter. Therefore, and as he agreed to supply from his meager stock of goods a few articles of which they were in need, his proposition was accepted.

Smith, and another small trader named William McGaa (otherwise "Jack Jones"), had set up their lodges near the ruins of Fort St. Vrain about the beginning of September, and the Georgians had heard of them while on their northern excursion. Having learned several days later that two companies of prospectors had come into the Pike's Peak country to search for gold and now were encamped on the South Platte, near Cherry Creek (the Lawrence party having by this time become neighbors of Placer Camp), the traders had moved into the locality before the middle of that month, and already had, as related in the next following chapter of this volume, participated with some of the Lawrence men in organizing a town company, which was to occupy and plat a part of the site of the city of Denver.

Shortly after the Russell company's arrangements for the coming winter had been determined, Dr. Russell, R. J. Pierce, William McFadding, and William McKimmons, with two wagons and their teams, left Placer Camp to go to Fort Garland, there to obtain some additional supplies. A few days later, William and Oliver Russell started upon their long journey to northern Georgia, and at the same time Trader Smith and the remaining "Russell Boys", as he called them, moved down to Cherry Creek to construct the winter quarters. These builders erected a rough cabin of good size, with a "shed roof" covered with earth, upon the right bank of the South Platte, some two hundred yards above the mouth of Cherry Creek. It stood near what is now the northeast corner of Eleventh and Wewatta streets, in "West Denver", and which locality has for a number of years been occupied by railway tracks. This cabin was, so far as known, the first habitation built by white men upon the site of pioneer Denver City, but not, as we shall see hereinafter, the first within the present limits of the city. Concerning this historic domicile and the arrival at the mouth of Cherry Creek of another company of Colorado's pioneers, I quote from my *History of Denver* the following, which is from the personal reminiscences that Dr. Russell contributed to that work:

"When I got back from Fort Garland—having gone on ahead of the others—past the middle of October, I found the cabin finished except the chimneys, and occupied by the builders, with some Arapahoe Indians camped near by. The boys told me that out of respect to Mrs. Wa-po-la Smith, the Smith end of it was finished

first. They also said that our friend Smith had contrived to avoid most of the hard work in building. I also found that during my absence a considerable party, headed by D. C. Oakes, had come up the Platte from Omaha and joined our new camp. Other parties soon came in, among them being Henry Allen, William Slaughter, and—I think—Andrew Sagendorf. Upon my return, our double cabin was the only structure on either side of Cherry creek, and no other was begun until we started in to organize a town company, which we did in a few days."

It was Smith's connection with this cabin, which originally was intended to serve only a temporary purpose, that gave rise to the story told in later years, and which continues to be repeated occasionally, that he had a "ranch" at the mouth of Cherry Creek when the pioneers of Denver began to lay the foundations of Colorado's metropolis.

In the meantime our other party of Argonauts, the Lawrence men, had not been idle, although their activities as miners were not rewarded in accordance with the hopes and expectations they had brought with them to the mountains. For several days after the company's arrival at the "Garden of the Gods", some of its members appear to have been more deeply interested in the novelty of their situation and its environment than in prospecting. As soon as the organization had settled in camp, Frank M. Cobb, John D. Miller, and Augustus Voorhees put out for the summit of Pike's Peak, which they reached without serious difficulty and where they looked the landscape over. A day or two after their return, another small band, which included Mrs. James H. Holmes, accomplished the same exploit. So far as there is any record, Mrs. Holmes was the first woman to set foot upon the crest of that famous peak.

After two or three weeks of fruitless prospecting in the vicinity of their encampment, these fortune-hunters concluded to go to the southward to see if they could find gold in that direction, never dreaming that just beyond the grand mountain that towered near them lay one of the world's great gold-fields. At this time, several of those who had been attached to the party, including Middleton and Holmes and their wives, decided to separate from it, which they did when the caravan reached the Arkansas River.

Having moved down the valley of the Fontaine qui Bouille, the Lawrence men crossed the Arkansas and took the old trail that led through the Sangré de Cristo Pass, near the western end of which stood Fort Garland. While upon their way they examined various places that seemed promising, but as they saw nothing that looked like the object of their mission, they had become almost persuaded that the "Pike's Peak gold-fields" were naught but delusions and snares. Proceeding over the summit of the pass, they halted on the upper reaches of Sangré de Cristo Creek, which drains the western slope of that depression. Here, upon the edge of a district in which Spanish and Mexican miners had worked in earlier times, they began to prospect with fresh hopefulness and soon found some faint "colors".

A few days later, a frontiersman, who had come from the South Platte, told these eager argonauts of the Russell party's discovery at Dry Creek. As this was the first news they had heard of any one having seen more than a trace of the yellow metal in the "Pike's Peak gold-fields" during that summer, and as it conveyed to them something like a definite promise, they decided to go immediately to the source of the welcome

tidings. Several members of the company were sent in haste to Fort Garland for a fresh supply of provisions, and upon the return of these the caravan started for the South Platte. Mr. John D. Miller, one of the survivors of the organization, and at the time of this writing a citizen of Pueblo, recently told me that the party covered the distance to the head of Cherry Creek at a "record" gait for ox-teams, especially after striking the trail that had been worn in the fur-trading period, from the mouth of the Fontaine qui Bouille by way of the site of the city of Denver to Fort Laramie. While descending the course of historic Cherry Creek, they searched for the precious dust at every opportunity, but with scarcely better luck than they had had in the South. Pulling into Placer Camp on September 4th, they were greatly surprised and disappointed to find it abandoned by the Russell men, who were then upon their prospecting tour into the northward country.

The Lawrence party did not remain at Placer Camp, but on September 5th established their encampment on higher ground, on the eastward side of the South Platte, about a mile farther north. This location was not chosen because it seemed to be a promising locality for mining, but mainly for another purpose. Believing that placer-diggings sufficiently profitable to give a settlement a good start would be developed at Dry Creek, several members of the company already had planned to "lay out" a town somewhere in the neighborhood, and for which this camping-place afforded an eligible site. Although there were a few dissenters, who thought the new "city" should be founded at the mouth of Cherry Creek, a town company was organized on the second day after the party had taken possession of this ground, and of which enterprise some particulars appear in the next chapter.

During that autumn the majority of these amateur miners prospected industriously in the general vicinity of their town, but upon the whole with a small measure of success. Several of them, who had left their homes with an intention to return before the oncoming of winter, and of whom some had accumulated a little gold-dust, set out for eastern Kansas early in October. When they arrived at their destination, ragged and unkempt from the wear and tear of their migrations, and notwithstanding the bald fact that the actual results of their expedition and its operations had been disappointing, they were heavily laden with fascinating stories of what they had seen and found in the Pike's Peak country. Those who had gold with them exhibited it with pride, and the sight of the shining grains of metal made the beholders believe that these returned miners had much more in concealment about their persons. As most of them expressed their determination to go back to the mountains early in the next spring, this and their display of South Platte gold-dust caused many of those who fell in with them to resolve to do likewise.

The departure of the Russell and Lawrence expeditions from the Kansas frontier, bound for the "Pike's Peak gold-fields", had been noised abroad almost before they were out of sight, and during the following summer wildly exaggerated reports of the results of their operations were set afloat in the border towns, and which drifted thence into the States. These fantastic yarns grew in size and splendor as they traveled. The sack of "gold-dirt" taken from Placer Camp to Westport by the wayfarer, Cantrell, became a "sack of gold"; and other tales equally extravagant, but

without any foundation whatever, accompanied the glorified account of the bonanza which the Russell party was said to have opened in the bed of Dry Creek. These glowing "advices from Pike's Peak" stimulated the organization of fortune-seeking parties in several towns in the border country along the Missouri River to go to the new land of promise; and before the middle of September some of these were upon their way across the plains.

Of the several companies of brave and hopeful men that came to the Colorado Mountains in that autumn, a majority made the mouth of Cherry Creek their destination. The first to appear there was the party which Dr. Russell said was "headed by D. C. Oakes", and which arrived on October 10th, having come by way of the Platte and South Platte rivers. Major Oakes was from Glenwood, Mills County, Iowa, which county borders upon the Missouri River, in the southwestern corner of that State; and most, if not all, of the members of his company also were from that county. Ten days later, another party, organized at Omaha, and which came up the Platte Valley, pulled into the general camp at the mouth of Cherry Creek. On October 24th, a large caravan, accompanied by fifty-six men and the wife of one of them, arrived there. This company was a consolidation of several parties, from Missouri, eastern Kansas, and southeastern Nebraska, which had united their forces at Fort Kearny and thence had followed the Platte River route. Before the close of that month three or four other bands of expectant pilgrims from the Missouri River region joined those already assembled on the ground upon which the foundations of the metropolis of the Pike's Peak country soon were to be laid.

In that month, also, a temporary settlement in what is now our Boulder County was made adjacent to the site of the present city of Boulder. The party that arrived at the mouth of Cherry Creek on October 20th had constituted about one-half of the original company. When the organization had reached the ruins of Fort St. Vrain, some twenty of its members separated from the others and took a different course for the remainder of their journey. This detachment, mostly of men from Nebraska City, on the Missouri River, and which then was a downcast frontier town, consisted of Captain Thomas Aikins, his son, and S. J. Aikins, the Captain's nephew; Alfred A. Brookfield, Henry W. Chiles, Charles Clouser, W. Dickens (or Dickson), David Gordon and his brother, Thomas Lorton, W. Moore, John Rothrock, Theodore Squires, two brothers named Wheelock, Captain A. K. Yount, and several others, whose names are not of available record. Captain Yount is represented to have told that he "mounted the walls of the old fort [Fort St. Vrain], and with the field-glass could see that the mountains looked right for gold, and the valleys looked rich for grazing; and could discern bands of Indian ponies and antelope feeding together". Others of the detachment having taken the same beautiful and inspiring view, the party crossed the South Platte, near the old fort, and moved up St. Vrain Creek to Boulder Creek, and thence by the course of the latter to the locality of the mouth of Boulder Cañon, arriving there on October 17th. Here, during the next few weeks, these pioneers of our Boulder County, having named the place "Red Rock", "on account of the red sandstone cliffs", built of logs a group of rude structures to shelter them during the approaching winter, and which appear to have been those that became known soon afterward as "the Eleven

Cabins". Although the mountains had "looked right for gold" in the encouraging view from the walls of Fort St. Vrain, the party seems to have done no effective prospecting until the middle of the following January.

At the time these Argonauts halted at the mouth of Boulder Cañon, two French petty traders, Antoine and Nicholas Janise (or Jeunessé), had been encamped for several weeks on the Cache a la Poudre, at a point a few miles above the site of our city of Fort Collins, in company with a band of Arapahoe Indians under a chieftain named Bald Wolf. During October and November they were joined by some other Frenchmen and a dozen or so of straggling American gold-seekers. As the mixed party decided to remain there until the coming of spring, several cabins, which soon became the nucleus of an ambitious town, were built upon that ground for winter quarters.

Among the later comers to the Pike's Peak country in 1858 was a small company formed in eastern Kansas and which moved to the mountains by way of the Arkansas River trails, under the leadership of one of its members named William O'Donnell. Very little knowledge of this organization, which was known as the "O'Donnell party", now is available. The majority of those who constituted it seem to have been controlled by an intention to become settlers—in the ordinary meaning of the term—rather than by a purpose to make gold-mining their main object while in the country. They halted upon the ground around the confluence of Monument Creek and the Fontaine qui Bouille, where, shortly afterward, their number was increased by the acquisition of a few members of the Lawrence party, who had deserted the embryo town of that company on the South Platte. Before the coming of winter, this little community on the Fontaine built some cabin-shelters and began to plan for laying out a "city" upon the land around them. Ere this a smaller band of late-comers had located about two miles up Monument Creek, and likewise were contemplating the beginning of a metropolis.

The locality at the mouth of the Fontaine qui Bouille was as attractive to some of our pioneers of 1858 as it had been to the fur traders, and before the close of that year it was occupied by a party of Americans who were virtually the founders of the city of Pueblo. The first of these were Josiah F. Smith, Otto Winneka, Frank Dorris, and George Lebaum, who had come from St. Louis, crossing the plains by the Santa Fé and Arkansas River trails. They reached the mouth of the Fontaine about the middle of November, and went into camp on the eastern side of that stream a short distance above its union with the river. Presently they were joined by Robert Middleton with his wife and child, George Peck, and one or two other members of the Lawrence company who had separated from that historic band of Colorado Argonauts. By the close of the year, the settlement, which now consisted of several cabins, had received a number of additional citizens, among whom were William H. Green, from Wisconsin; William Krenig, from New Mexico; Aaron Sims, Anthony Thomas, and George McDougall—who had crossed the plains with the Russell expedition. These were followed soon by — Brown, J. M. Shafer, and two others of importance, the latter constituting the partnership of Wing & Cooper, from Missouri, and whose wagons were laden with a small stock of frontier merchandise. This firm opened a store, and constructed a large corral for the safe-keeping of livestock in

the night-time. As a whole, the assemblage near the mouth of the Fontaine developed a greater preference for engaging in trade and speculation than for hunting for gold in its wild form.

Several other organizations of pioneer Pike's Peakers, indifferent to the rather common beliefs as to the hardness of autumn weather on the plains, started from the Missouri River border for the mountains in September and October. Not all of those who constituted these bands intended manually to dig for gold, as there were merchants, mechanics, professional men, town-company organizers, and some general adventurers among them. But all were inspired and led on by the grossly exaggerated reports they had heard of the results of the Russell party's operations during the previous summer, but which had no more foundation than has been set forth upon the pages of this chapter. Nearly all of these later comers made the mouth of Cherry Creek their immediate destination, near which the opulent diggings were understood to lie.

In that period, the region that was popularly called "the Pike's Peak country" was divided among four Territories—New Mexico, Utah, Nebraska, and Kansas. The 37th parallel of latitude marked then, as it does now, that part of the northern boundary of New Mexico lying west of the Continental Divide; but east of the divide, between it and the 103d meridian of longitude, the area of that Territory projected northward to the 38th parallel, which clips a bend of the Arkansas River where our town of La Junta stands. That part of the sinuous line of the Continental Divide, from the 37th parallel northwardly to the 42d parallel, and from the central section of which the locality of the city of Denver is within view, was the eastern boundary of Utah. The 40th parallel of latitude, which is the north line of our Adams County, and which courses about two miles south of the city of Boulder, was the southern boundary of Nebraska and the northern of Kansas. The southern line of Kansas ran west on the 37th parallel to the 103d meridian; thence north on that meridian to the 38th parallel; and thence west on that parallel to the Continental Divide, where that Territory joined the Territory of Utah.

But while the Pike's Peak country was thus divided among these several Territories, it was not of two of them for the purposes of administering law; and it was in the western ends of these two that our pioneer American settlements were made. From the legal standpoint the western part of Kansas and Nebraska constituted a "No Man's Land"; the only "jurisdiction" that applied to these sections being that of the Indian tribes which occupied them. Although these conditions and their effects are considered at some length upon later pages of this volume, it may be mentioned here that the cause thereof was contained in the act of Congress—the "Kansas-Nebraska organic act"—authorizing and establishing the Territories of Kansas and Nebraska. A clause in this law specifically exempted from the jurisdiction of these Territories the parts of their areas that were held by Indian tribes which had not by treaty ceded to the United States their rights to their lands, and also had not consented by treaty to be placed under the jurisdiction of these Territories. Therefore, as no such treaty, or treaties, had been made by the United States with the Indian tribes occupying the western parts of Kansas and Nebraska, our American pioneers entered and took possession of districts of the national domain over which no duly organized form of local government existed or could be established.

and in which there were no lawful safeguards to human life, no legal machinery for the punishment of assaults upon it, nor any lawful provisions for maintaining the rights of property. But such conditions did not exist in the Territories of New Mexico and Utah, as the organic acts for those divisions did not contain the restrictive clause that I have outlined above.

However, by an act of the Kansas Legislative Assembly, approved by Acting Governor Daniel Woodson on August 25, 1855, all that part of Kansas Territory lying west of the 103d meridian was "declared to constitute a county, to be known as Arapahoe County". Although this act, for which the Assembly had no authority, also provided for the organization of the county and for locating its county seat, no attempt had been made to execute the law. Indeed, the entire western half of the present State of Kansas practically was a wilderness at the time our American pioneers came to Pike's Peak. Nevertheless, this Arapahoe County turned out to be a thorn in the side of their body politic for more than two years.

CHAPTER XI.

ORGANIZATION OF PIONEER TOWN COMPANIES IN THE PIKE'S PEAK COUNTRY.—FOUNDING OF MONTANA CITY.—LOCALITY OF ITS SITE.—FORMATION OF THE ST. CHARLES TOWN ASSOCIATION AT THE MOUTH OF CHERRY CREEK.—ITS PROMOTERS' ARTICLE OF AGREEMENT AND CONSTITUTION.—THEIR ELECTION OF OFFICERS AND LOCATION OF A TOWN SITE.—ASSEMBLY OF PIONEERS AT THE MOUTH OF CHERRY CREEK.—ORGANIZATION OF THE AURARIA CITY TOWN COMPANY.—ITS CONSTITUTION AND BY-LAWS.—BEGINNING OF THE CITY OF DENVER.—ELECTION OF OFFICERS AND OF A DELEGATE TO CONGRESS AND A REPRESENTATIVE IN THE KANSAS LEGISLATIVE ASSEMBLY.—AURARIA THE FIRST SETTLEMENT UPON THE SITE OF PIONEER DENVER.—EFFORTS TO PROTECT THE ST. CHARLES TOWN SITE.—ARRIVAL OF THE LEAVENWORTH-LECOMPTON PARTY.—ITS PERSONNEL.—ORGANIZATION OF THE DENVER CITY TOWN COMPANY.—ST. CHARLES CLAIM "JUMPED" BY THE NEW COMPANY.—ELECTION OF OFFICERS OF THE DENVER CITY COMPANY.—SOURCE OF ITS NAME.—PERVERSION OF HISTORICAL FACTS AS TO THE FOUNDING OF DENVER.—ABANDONMENT OF MONTANA CITY.—EMBRYO CITY OF ARAPAHOE.—PIONEER MERCANTILE ESTABLISHMENTS.—RIVALRY OF THE METROPOLES AT THE MOUTH OF CHERRY CREEK.—MEAGER AND DISCOURAGING RESULTS OF GOLD-MINING IN 1858.—PIKE'S PEAKERS' FAITH IN THE FUTURE OF THE COUNTRY.—TOWN-BUILDING ENTERPRISES IN THE WINTER OF 1858-59.—FOUNDING OF BOULDER CITY AND LAPORTE.—EL PASO TOWN COMPANY'S EL PASO CITY.—ITS LOCATION AND SHORT LIFE.—EL DORADO AND ITS SOLITARY CABIN.—FOUNTAIN CITY, NEAR THE MOUTH OF THE FONTAINE QUI BOUILLE.—AGRICULTURAL OPERATIONS OF SOME OF ITS CITIZENS.—SPREAD OF THE "PIKE'S PEAK EXCITEMENT" OVER THE STATES.

Inasmuch as two town companies were formed by members of the Lawrence party, in the month of September, 1858, to found "cities" on the South Platte, it would seem that most of those who constituted that historic group of Pike's Peak pioneers were more disposed to employ their time and talents in enterprises involving the manipulation of real estate than to engage in the drudgery of prospecting and of placer-mining. This inclination may have been due to experience in or less direct association with the business of locating and platting paper metropolises of great beauty and promise which recently had flourished along the Missouri River border.

On September 7th, the second day after they had established their encampment a mile or so below (north of) the Russell diggings at Dry Creek, the Lawrence men organized the "Montana Town Company", to start a "city" upon the ground they occupied. Josiah Hinman was elected President of the organization, and William J. Boyer Secretary; but as the company's record of its transactions has not been recovered, the names of the other officers can not now be ascertained. These promoters located several streets, and gave their town the pretty and appropriate name of "Montana City". Its site, which is within the present limits of the city of Denver, is on the eastern side of the South Platte, four and one-half miles south of the State capitol, and is bounded on the north by West Evans Avenue, on the east by South Tremont Street, on the south by West

Bliff Avenue, and on the west by the river's bed. Ten or twelve cabins were built there in orderly town-fashion during September and October, and the settlement bid fair to become the principal center of municipal activity in the "new gold region".

Although Montana City was the first American town laid out and built in the Pike's Peak country, it did not prove permanent. Its career was cut short and its population absorbed by the rival communities which sprang up at the mouth of Cherry Creek later in that autumn; and before the summer of the next year scarcely a vestige of this primitive hamlet remained.

About the middle of September, several members of the Lawrence company, who were of the belief that Montana City did not occupy the most desirable location on the South Platte for a metropolis, resolved to break away from their associates and found a rival "city" upon a more eligible site. This group of insurgents consisted of Frank M. Cobb, John A. Churchill, Adnah French, William Hartley, Charles Nichols, William N. Smith, and T. C. Dickson; the latter, as I have mentioned on a preceding page, having become one of the Lawrence party by adoption.

These seceders had regarded the locality at the mouth of Cherry Creek as the better place for a settlement, and which at that time was unoccupied by either white or red men. The two traders among the Indians, John S. Smith and William McGaa, now appeared upon the scene, and with whom the Lawrence deserters at once formed an alliance for the purpose of organizing a company to establish and exploit a town upon their preferred site. In seeking the coöperation of the traders, the promoters of the new project had in mind the same considerations which induced the Russell party shortly afterward to enter into a partnership with Smith to build joint winter quarters. McGaa, as well as Smith, had an Indian wife, and also was influential among the Cheyenne and Arapahoe tribes. The traders agreed to become members of the proposed town company, and to see that their red friends and acquaintances made no objection to the enterprise.

On September 24th, the members of the combination met at the mouth of Cherry Creek to organize their company. After formally taking possession of a tract of land one mile square, lying eastward of the river and the creek, they repaired to McGaa's lodge, which stood upon the ground, and there signed the necessary documents, which evidently had been prepared in advance. The following is a literal copy of their fundamental "Agreement", taken from the original record of the organization, and which is now among the collections of our State Historical Society:

"Upper Waters of the South Platte River at the Mouth of Chery Creek Arapahoho County Kansas Territory."

"September 24, 1858."

"This article of Agreement Witnesseth That T. C. Dickson, William McGaa, John A. Churchill, William Smith William Hartley, Adnah French John S. Smith Frank M Cobb and Charles Nichols, have entered into the following agreement which they Bind themselves their heirs Administrators Executors, Assignees &c. forever to Well and truly Cary out the Same.-----

"Article First: Whereas, the aforesaid Parties, as above, have Agreed to lay out Six Hundred and Forty Acres of Land into Streets, Lots, Blocks &c to be held by them for Town purposies, and Equally divided among the Above members except Such Lots as the company Shall See proper to donate to Settlers, or for other purposies, and no Such donations Shall be made without the consent of Two thirds of an Members,-----



GOVERNOR SAMUEL H. ELBERT

"Article Second: It is further agreed by the aforesaid parties to Locate the town on the East Side of Chery Creek, and to commence at a point about One Hundred and Sixty Rods from its mouth, more or less and running due East Three Hundred and twenty Rods thence north three hundred and Twenty Rods, thence due West three Hundred and Twenty Rods, thence South Three hundred and Twenty Rods to the Point of Starting.

"Article Third: It is agreed by the aforesaid party that the expeses incurred of Surveying Said town also for the procuring of a charter Books Maps &c and all necessary expences Shall be Equally borne by each member of the aforesaid company.

"Article Fourth: it is further a greed by John S. Smith and William McGaa that they will take possession and hold for the benefit of the aforesaid Company that fraction or quarter sectn as the case may bee lying West of the Town and Adjoining the Same and use their influence to see that it eventually becomes a part of the town and the common property of said Company at Government price the purchase money to be raised by the company———Signed and Sealed this Twenty fourth day of September Eighteen hundred and fifty Eight———"

"William McGaa"

"John S Smith"

"Adnah French"

"T. C. Dickson"

"John A. Churchill"

"William Hartley"

"Frank M. Cobb"

"William N Smith,"

"Charles Nichols"

Having signed the agreement, the parties thereto, on the same day, adopted a "constitution", of which the following is a literal copy from their record:

"Constitution of the St. Charles Association."

"We, the undersigned members have jointly agreed to lay out a Town at or near the mouth of Chery Creek and to be Equal Stockholders in the Same, and we have adopted the following Constitution by which the Town Company are to be governed———"

"Article First: Their Shall be a president, Vise President Secretary Treasurer and Recorder Who Shall be Elected by ballott at each annual meeting of the company and who together With four others of who air to be elected in the Same manner, Shall constitute a board of Directors and they shall hold their office for the term of one year, at the Expiration of which time a new Election Shall take place, but provided that Said Election Shall go by default, then the aforesaid Officers Shall hold their positions untill the next annual Election

"Article Second: In case of death Absence or Resignation of the aforesaid officers a majority of members may call a meeting and elect others in there place———"

"Article Third: It Shall be the duty of the President to preside over the meeting of the Bord to preserve order. likewise to Sign the Certificates of Shares and to discharge the official duties devolving upon the president of meeting or of Companies———"

"Article Fourth: It shall be the duty of the Vice-president in case of absence death or Resignation of the President to discharge all the duties as above Required of the President———"

"Article Fifth: It shall be the duty of the Secretary to Keep the Books of the Town Company and to keep the proceedings of all the meetings and to report the Same at the next meeting it Shall be the duty of the Secretary likewise to sign the certificates of Shares

"Article Sixth: It shall be the duty of the treasurer to take charge of Such Mony as the Board of Directors may place in his hands and to pay out the Same to order. which Shall be directed by the Board and Signed by the president and Secretary———"

"Article Seventh: It Shall be the duty of the Recorder to Record all mort-

gages. and all documents Relating to town lots and town property. and his fee Shall be fix by the Board of directors

"Article Eighth: The Board of Trustees Shall consist of nine of the present Stockholders untill otherwise provided for by bye laws which they may hereafter adopt.

"Article ninth: The first Election for officers of Said town company Shall take place on the Twenty-eighth Day of September Eighteen hundred and fifty Eight.-----

"this Constitution may be altered or amended at any time by a majority of the members-----"

"Names"

"Charles Nichols

"Adnah French"

"T. C. Dickson"

"William N. Smith"

"John A Churchill

"William McGaa"

"Frank M. Cobb"

"John S Smith"

"William Hartley"

On September 28th. the members of this close corporation, each of whom was given an official position in the organization, again met at McGaa's lodge, to elect trustees and executive officers. Of their transactions on that day, the record says:

"Sep the 28. 1858 At a meeting of the Town Company held in William McGaa lodg on the Platte The following persons was Elected To fill the offices as provided for by the Constitution

"On motion Charles Nichols was called to the Chair and afterwards elected Chairman of The meeting. The meeting came to Order the members proceeded to ballott for the president of the Town company. on the first and Second ballott no one received a majority over All the rest but on the third ballott Adnah French received a majority and was Declared Elected President of the Town company. Then the members proceeded to ballott for the ballance of the officers which resulted as follows William McGaa Elected Vice President T C Dickson was Elected Secretary John S Smith was Elected Treasurer Frank M Cobb was Elected Recorder. The officers above mentioned together with four others which was William Hartley Charles Nichols William Smith John A Churchill was declared a Bord of Trustees.

"On motion the meeting adjourned."

At their next meeting, held on October 2d, the promoters of St. Charles City adopted some additional regulations, of which the following is the record:

"Oct the 2. 1858 By Laws of The St Charles Town Company

"Article first

"no person Can become a member of the St Charles Town Company unless his name Shall first be proposed by one of the members and at the next meeting The members of the town Company may go into an Election and if he Shall receive tw-third of the votes of the original nine members he Shall become a member of the St Charles Town Company in every respect except the right to cast his vote for or against an additional member

"Article Second

"no one member of the St Charles Town Company Shall have the power to transact any business for The Company without a written power of Attorney and it Shall be Signed by a majority of the Members"

The place of this meeting is not named in the record, but according to the recollection of one of the participants it was held at Montana City.

The "article of Agreement", the "Constitution", and the "By laws" of the St. Charles Town Company, the second organization of the kind in the Pike's Peak country, are the earliest "municipal" documents identified with the American settlement of Colorado which we possess.

In the meantime these pioneers had run a line around their square-mile and staked its corners, and also had tentatively located a few streets in a part of it. The leader in this work was William Hartley, who was a land surveyor and had brought with him from eastern Kansas a pocket-compass and a chain. The boundaries of the town site conformed to the cardinal points of the compass, and the streets were planned to agree in their course with these points, an arrangement which let a large angular tract between the western line of the town site and the Platte River and Cherry Creek. This was the "fraction or quarter sectn" of which Smith and McGaa were to take possession and to "use their influence to see that it eventually becomes a part of the town and the common property of said Company".

The "Point of starting" the survey is in the city block now bounded by Larimer, Fourteenth, Lawrence, and Fifteenth streets; and there the first stake was driven in the first proceedings toward founding a town at the mouth of Cherry Creek. This and the three other corner stakes were fair-sized posts, hewn smooth on the upper part of one side, and on which dressed surfaces notices that the tract so staked had been "taken up" for a town site were written as plainly as a lead pencil could make them. In thus advertising their priority of right, our friends followed a practice that had been common in both eastern Kansas and eastern Nebraska, but as they had appropriated land the title to which was in the Indians, their stakes and notices were of no valid effect.

After the meeting of October 2nd, the Lawrence members of the St. Charles Town Association decided to go back to eastern Kansas, to remain there through the coming winter and to return to their town site in the following spring, Smith and McGaa having agreed to guard and protect the company's interests during their absence. They had not built any kind of structure upon their town site, having made Montana City their headquarters while organizing their association and surveying their land at Cherry Creek, and which also was their point of departure when they started for their former homes. The entry in their record next after that of October 2d, is that of the "minutes" of a meeting at which McGaa and Smith were not present, held at Montana City on the day the other promoters of St. Charles set out for eastern Kansas, and which entry reads as follows:

"Oct the 9 1853 At a meeting on the platte their being two thirds of the members present it was unanimously agreed to Change the name of the town from Golden City to St Charles which was Dun by motion of T C Dickson
"on motion the meeting adjourned"

In explanation of this apparently contradictory entry, Mr. Dickson stated to the present writer, some years ago, that "St. Charles" was the name agreed upon in the beginning by all the members of the association, and which had been proposed by Charles Nichols, who had formerly dwelt in St. Charles, Missouri; that after the company's organization some of its "stockholders" concluded that the name ought to be "Golden City", and insisted that the town should be so called, in recognition of the golden character which faith and hope—though but little else at that time—attributed to the country 'round-about the town site; and that the entry should have read, to record correctly the action of the meeting, that the

name should "remain St. Charles", instead of "to change the name" "from Golden City to St. Charles".

The foregoing quotations from the "minute-book" of the St. Charles Town Association constitute all the recorded proceedings of the organization before the main body of its members departed for eastern Kansas; the next entry being the record of an unimportant meeting held at Lawrence, Kansas, on November 15, 1858. It is in the caption of the "Article of Agreement" that we have the earliest known local record and recognition of the existence of Arapahoe County, Kansas Territory, a more or less nominal division of that Territory which figures in other chapters of this volume.

As the reader has seen in the provisions of the St. Charles agreement, constitution, and by-laws, the organization was intended to be a close corporation largely for the pecuniary welfare of those who had gone into it upon the "ground floor". The principal purposes of the Lawrence members of the company in going to eastern Kansas for the winter were to obtain from the Legislative Assembly of that Territory a "charter" for their association and to make other preparations for "booming" their enterprise on their return in the following spring, should the intervening developments in the "Pike's Peak gold-fields" warrant them in going ahead with it. But they did not anticipate that any considerable number of fortune-seekers would come into the country during the remainder of that autumn.

However, these homeward-bound pilgrims had gone less than a full day's journey beyond view of their town site when they met D. C. Oakes' party, which arrived at Cherry Creek on October 10th; and a few days later they passed another train of Pike's Peakers, which reached the same destination on the 20th of that month. By the time the St. Charles men had gone seventy-five or eighty miles down the South Platte, they became apprehensive that some of these outward-bound folks might establish winter quarters upon their unimproved and unoccupied town site to the disadvantage of the claims of their association. Therefore, Charles Nichols was delegated to go back at once to erect upon the land something in the form of a building as evidence of the St. Charles priority of right to it, and also to induce the more desirable of the new people to locate upon it subject to the precedence and authority of the organization.

When Nichols put in at the mouth of Cherry Creek, he found good reasons for his return. The Russell men and Trader Smith were occupying their cabin, on the westward side of the stream; William McGaa had his lodge near by, and around the cabin and the lodge some thirty or forty newcomers were encamped. As both Smith and McGaa now appeared to have lost interest in the St. Charles enterprise and were not disposed to assist in the work of constructing a building upon the town site, Nichols, having failed to obtain help from any one else, turned to an expedient that had often been employed in eastern Kansas to hold land—that of the "four-log improvement", made by placing four logs upon the ground in cob-house fashion, and which in theory was held to be the beginning of a cabin. But, as we shall see presently, this "improvement" did not afford much protection to the interests of St. Charles.

Immediately after the incoming of the large company of Missourians, Kansans, and Nebraskans, which arrived on October 24th and increased the

number of people assembled on the westward side of Cherry Creek to nearly one hundred, it was proposed that all hands join in organizing a town company and founding a "city" upon that ground. Several citizens of Montana City also had become members of the new community, and construction work on a few cabins had been started. Public notice was given on October 27th that a "mass-meeting" would be held on the 30th to organize a town company and otherwise to provide for effecting the purposes of the proposition.

The records of the organization which was formed at that time and that actually laid the foundations and made the beginning of the city of Denver, are possessed by our State Historical Society, the first entry in the "minute-book" being the following report of the proceedings of the initial meeting:

"October 30, 1858."

"At a meeting of the Citizens of the South Platte for the purpose of selecting a suitable site for a town, Wm. McFadding was appointed as chairman, and A. J. Smith as Secretary of said meeting. The President stated the object of the meeting.

"On motion of Mr. Hutchins a committee of five was appointed to select said site, with power to examine into any and all previous claims. The chair appointed the following, viz: Hutchins, Dudley, Dr. Russell, J. S. Smith and Rooker.

"The Committee reported that they were not able to report at this meeting and asked further time. Permission being granted.

"On motion of A. J. Smith a Committee of five was appointed to draft a Constitution, and by-laws, to govern the Town Company. The Chair appointed the following, viz: A. J. Smith, J. H. Dudley, Wm. McGaw [McGaa], L. J. Russell, and S. M. Rooker.

"On motion Wm. McFadding was added to the Committee.

"On motion meeting adjourned to Oct. 31, 1858."

"A. J. Smith, Secretary."

Of the second meeting of the "Citizens of the South Platte", which was held in accordance with the adjournment of the first, the record says:

"October 31st, 1858."

"Meeting met pursuant to adjournment, Mr. McFadding in the Chair.

"Minutes of Meeting 30th inst. read and approved.

"The Committee to whom the selection of a town site was referred reported the Following, which was adopted, viz:

"The Committee that they have selected a town-site upon the following lands. A tract having Cherry Creek for the Easterly line and the South Platte for the northerly line, and extending west and south sufficiently to include not less than Six hundred and forty acres. The claimants to said portions being present and acquiescing. Reserving and excepting for the Benefit of William Mc Gaw [McGaa] and John S. Smith the privilege of a ferry landing within the river boundary of the town lands."

"The Committee appointed to draft a Constitution and By-laws reported on the Constitution and By-laws, which were adopted with the following amendment, viz: To the 9th article of the Constitution—When it becomes necessary to lay a tax for any improvement upon the town site it shall be the duty of the Board of Directors to call a meeting, notifying the Stockholders to that effect. A majority of the quorum always being necessary to levy such tax.

"On motion adjourned."

"A. J. Smith, Secretary."

The "claimants to said portions" which the committee had selected for the site of the proposed town were the traders, Smith and McGaa, who, by virtue of their relations with the local tribes of Indians, had set up some rights of ownership in the land when they saw that a settlement was to

be made upon it. They had now abandoned St. Charles to its fate and were actively participating in the rival enterprise.

According to the Secretary's record of the proceedings on October 31st, the constitution and by-laws were adopted on that day, but the preamble of the former states that they were agreed to on November 1st. The explanation of this unimportant conflict of dates probably is that both were given a second consideration. The following is a copy of them:

"Constitution of Auraria Town Company."

"We, the Citizens of the South Platte, have assembled on the First day of November, A. D., One thousand, Eight hundred and fifty-eight, and agreed to associate ourselves into a Company to be known and distinguished as the Auraria Town Company, and by which name we hold ourselves liable to sue and be sued, and to transact business as an individual and legal body.

"Article 1st.

"This Company shall be known and distinguished as the Auraria Town Company.

"Article 2nd.

"There shall be elected by the Stockholders of said Company a President, Vice President, Secretary, Treasurer, and One Director, who shall hold their offices for the term of one year from the date hereof, at the expiration of which term there shall be a new election.

"Article 3rd.

"In case of any failure of such election at the expiration of said term of One year, or should a vacancy occur through resignation, death, or absence, a majority of the Board may direct a meeting of the Stockholders to be called and elect others in their places.

"Article 4th.

"It shall be the duty of the President to preside over the meetings of the Board, to preserve order, and likewise to sign all certificates of shares, and to discharge all the duties usually devolving upon the President of meetings and of companies.

"Article 5th.

"It shall be the duty of the Vice President in case of death, resignation, or any absence from any cause, of the President, to discharge all the duties required of the President.

"Article 6th.

"It shall be the duties of the Secretary to keep the books and accounts of said Company, to record all meetings of the Stockholders, or of the Board of Directors; likewise to sign all shares and transfers of shares and record the same. Keep a record of all documents and papers relating to Town property, and to notify stockholders of all assessments and when to be paid.

"Article 7th.

"It shall be the duty of the Treasurer to take charge of all monies which the Board of Directors may place in his hands, and receipt for the same; to collect all assessments which the Board may make, and receipt for the same; and shall upon an order from the Board disburse any funds belonging to said company, and shall submit a statement of his proceeds in office at any meeting of the Board when called upon to do so by said Board.

"Article 8th.

"The President, Vice President, Secretary, Treasurer, and One Director shall constitute a Board of Directors, all to be chosen from the Stockholders of said Company.

"Article 9th.

"It shall be the duty of the Board of Directors to superintend the surveying, platting, lithographing or mapping, of the Town Site. Printing or writing shares of stock, superintending all company improvements, and hold all Company property in trust for the benefit of said Company. And also—when it becomes necessary to levy a tax for any improvements upon the Town Site, it shall be the duty of the

Board of Directors to call a meeting notifying the stockholders to that effect. A majority of a quorum always being necessary to levy such a tax."

"By-Laws."

"Article 1st.

"All shares donated by said Company shall be improved in such manner as the Board of Directors may contract, within Sixty days after the day of Donation. But if such specified improvements be not made, then the title of such person or persons to whom such donation shall have been made is null and void.

"Article 2nd.

"The election of Officers shall take place on the first Monday in November in Each year, the vote shall be cast by ballot, and two-thirds of the vote cast shall be necessary to a choice.

"Article 3d.

"Each stockholder shall be entitled to one vote at the first election. At every succeeding election each stockholder shall be entitled to one vote for every share of stock as originally issued, provided all arrearages of assessments are paid.

"Article 4th."

"Thirty days shall be allowed for payment of assessments, and if not paid within said thirty days the Secretary shall advertise the same for thirty days additional, and if not paid within said time the Secretary shall cause such share or shares to be sold to pay such assessments.

"Article 5th.

"The owner or owners of any stock sold as above provided to pay assessments, by paying, within 90 days after such sale as aforesaid, the purchase money and fifty per centum added thereto, shall be entitled to redeem such stock.

"Article 6th.

"Each member of the Board of Directors shall be held under bond for the faithful discharge of his duties as such member, the sum of which bond not to exceed the sum of Twenty-five hundred dollars and not less than Two thousand dollars.

"Article 7th.

"There shall be set apart four hundred shares for the use and benefit of the Stockholders, the remaining two hundred shall be set apart for donation, public improvements, &c., and it shall be the duty of the Board of Directors to take charge of such donations, and all profits arising from such donations shall be set apart for the benefit hereafter of said Company.

"Article 8th.

"The number of Original Stockholders shall not exceed the number of One hundred. In the absence of any stockholder he may appoint an agent to cast the vote or votes to which he may be entitled, and to act as proxy, generally.

"Article 9th.

"No transfer of stock shall be considered legal unless such transfer be signed and recorded by the Secretary in the books of the company at the time of making such transfer.

"Article 10th.

"Shares of stock shall be issued to each and every stockholder when such Stockholder shall have, or caused to have been, constructed within the City Limits a house not less than Sixteen by sixteen feet, to be approved by the Board of Directors. Such improvements to be made and completed on or before the first day of July, A. D. 1859, or the shares become forfeited to the Company.

"Article 11th.

"This Constitution and By-Laws thereunto annexed may be revised and amended at any general meeting of the Company by a vote of Two-thirds of the Stockholders of said Company."

Of the result of an election to choose the first complement of officers for the company, and which was held on the next Monday, the record contains the following:

"November 6th, 1858."

"At a meeting of the Stockholders of the Auraria town Company an election of Officers took place at which

"William McFadding received 84 votes for President.

"J. H. Dudley received 84 votes for Vice President.

"L. J. Russell received 84 votes for Secretary.

"John S. Smith [the trader] received 84 votes for Treasurer.

"Henry Allen received 84 votes for Director.

"Whereon the above named were declared duly elected for the term of One year."

"A. F. Graeter,

Clerk of Election.

"John J. Shanley,

Clerk of Election."

"W. M. Slaughter

Judge of Election."

The name of the company's first President appears in the record as "William McFadding" and as "William A. McFadding", but both apply to the same man, who was one of the several members of the Lawrence party who had removed from Montana City to the mouth of Cherry Creek a few days before the initial meeting was held.

The Aurarians made use of this opportunity also to elect a Delegate to the United States Congress and a Representative in the Legislative Assembly of Kansas Territory, of which ambitious proceedings some particulars appear elsewhere in this volume.

The record contains no reference to circumstances connected with the choice of a name for the town, the first appearance in it of "Auraria" ("Gold Town") being in the title of the constitution. However, the name was one of two which were suggested by Dr. L. J. Russell, who, as stated in the record of the first meeting, was a member of the committee that drafted the constitution and by-laws. Concerning the choice, the present writer received the following definite information from that distinguished pioneer:

"I submitted two names to the meeting: 'Dahlonge', which was and is the name of the county seat of Lumpkin County, Georgia; and 'Auraria', the name of my home town in the same county. The latter was chosen. I very much preferred the name 'Dahlonge' (in Cherokee, 'Tau-lau-ne-ca'), which means in the Indian dialect 'Gold', or 'yellow money'. It was said at home that the name 'Auraria' was conferred on our little village by John C. Calhoun, of South Carolina, and that its meaning was 'golden head'. This story, it is evident, was wholly mythical. However, the name 'Auraria', regardless of its meaning, was chosen by our new town company on the South Platte."

Next after the entry of the constitution and by-laws in the record, appears a "List of the Stockholders of the Auraria T. Co., Nov. 1st, A. D. 1858", containing the names of one hundred men. But not all of those who thus figure as "stockholders" were at the mouth of Cherry Creek at that time. The names of some of the absent, as in the case of William G. and J. O. Russell, were entered by friends present; and as the names of others, who arrived upon the ground at various times in November, also appear in the list, it is evident that additions were made to the original roll until the specified number of one hundred "Original Stockholders" was made up.

Auraria was the first pioneer "city" that arose at the mouth of Cherry Creek, and the actual beginning of the present metropolis; it was the cradle of business life in the "new gold-fields"; within its limits the first newspaper in the Rocky Mountain country north of New Mexico was printed; the first Protestant church and the first Sunday School in the

land of our State were organized and nurtured in Auraria; and in one of its cabins the first secular school within Colorado's domain was established.

While the Aurarians were organizing their town company, Charles Nichols, the solitary custodian of the St. Charles town site, and who had not been taken into the Auraria corporation, watched with increasing apprehension the proceedings of these rivals of his association. Moreover, he saw that should there be further additions to the Cherry Creek community before the rigors of winter set in he would find it difficult to prevent later comers from occupying more or less of the land to which he and his associates had laid claim and regardless of St. Charles' "rights". Of Nichols' condition at that time, and of an effort made to assist him in holding his town site, I quote the following account from reminiscences contributed to my *History of Denver* by Colonel Samuel S. Curtis, one of our prominent pioneers of 1858, as well as of later times, and who arrived upon the scene on October 30th of that year:

" . . . Six members of the [St. Charles] company had returned to the States, leaving Charles Nichols to protect the town-site; four logs, crossed, being the only improvement. He was without money or food, and dependent on friends for support. Courtright and I helped to take care of him, as also did old John Smith [the trader] and 'Jack Jones' [William McGaa].

"I represented to Nichols that he must do something on his town-site or it would be 'jumped', and he agreed that I should have an interest in the town of 'St. Charles' if I would help him hold it. I turned out our cattle to haul logs, and with Courtright and others from our camp we built a cabin of logs to about six feet high and put on part of the roof. By an arrangement with Nichols, it was afterward finished and occupied by Hank Way, as a blacksmith's shop. It must have stood near the Blake street crossing of Cherry creek."

Other Denver pioneers of that autumn of whom the present writer made inquiries confirmed the location of the cabin as having been near the creek and between Blake and Wazee streets. Therefore it was outside the limits of the square-mile town site, but was upon the additional land that Smith and McGaa were to have secured for the St. Charles Company, between the west line of the survey and the creek and the river. Colonel Curtis and his friends did their work on the cabin in the latter part of the first week of November and early part of the second.

Among the comers to the mouth of Cherry Creek during that month was a company of pioneers in which were several men who became leaders in primitive Denver, and whose names and services are conspicuously identified with the early history of the city, as well as with that of Colorado at large. This organization was a union of two bands formed in eastern Kansas, and which had traveled most of the way independently.

One of these parties was organized at Lecompton, at the end of the summer of that year, and among its members were Hickory Rogers, H. P. A. Smith, and Edward W. Wynkoop, each of whom was well and favorably known by James W. Denver, then Governor of Kansas Territory. The rosy reports that had come recently from Pike's Peak, and the preparations of energetic and enthusiastic men to go to the reputed gold-fields in the western extremity of his Territory, had not escaped Governor Denver's attention; and already he had anticipated the rise of a new Territory in the West, for which he proposed the name "Shoshone"—that of one of the great families of western Indians. Believing that in the meantime there should be some representatives of civil government among the people in

the "Pike's Peak gold-fields", but overestimating the number that he thought would be occupying them before the end of the year, the Governor appointed Smith "Probate Judge", Rogers "Chairman of the County Board of Commissioners" (which consisted of Rogers and two others), and Wynkoop "Sheriff", of the nominal County of Arapahoe, but which was nothing more than a name attached to the mountain-end of Kansas. Armed with their credentials of office, these "county officials" with a few associates set out for "the Peak".

The other division, which hailed from Leavenworth, and became famed in Denver's early annals as the "Leavenworth party", consisted of Folsom Dorsett, M. M. Jewett, General William Larimer, Jr.; the latter's son, William H. H. Larimer, who was in his eighteenth year; Charles A. Lawrence, and Richard E. Whitsitt. Some sixty men originally were enrolled in the party, but when the starting-time came only these six were ready and determined to go. Leaving Leavenworth on October 3d, with an outfit of one large wagon, four yoke of oxen, and a saddle-pony for each person, they struck across to the Arkansas river. About five weeks later they reached the site of the city of Pueblo, where they found encamped Governor Denver's county officers and the others who constituted the Lecompton party. The two bands, having joined forces and fortunes, arrived at Auraria City on November 16th.

These men had come from a section of the West in which little had been left to learn about the business of laying out and exploiting frontier "cities". On the day after their arrival at the mouth of Cherry Creek, they spied out the land on the eastward side of that stream and resolved to make it the site of a competitor of Auraria. As they were men of action, they at once allied themselves with E. P. Stout, P. T. Bassett, William Clancy, and several others, including the two traders, Smith and McGaa. Beside Mr. Stout and the traders, there were some other members of the Auraria Company among these allies, who were to engage in the good work of extending the settlement at the mouth of Cherry Creek.

In the evening of that day (November 17th), this combination of promoters met in McGaa's cabin, in Auraria, and there held their first formal meeting to organize the "Denver City Town Company" for the purpose of taking possession of the land on the eastward side of the creek and laying out a "city" upon it. The proceedings of the gathering were mellowed by the influence of a pot of robust whiskey-punch, provided by the host, and in which that shifty pioneer was said to have indulged over-freely. Charles Nichols, the custodian of the St. Charles town site, also was present at the meeting. He had protested loudly against the intended "jumping" of his association's staked-off square-mile, but, according to information I received from Mr. Stout, had been quieted by a notification "that at his next attempt to make trouble a rope and noose would be used on him". Concerning some circumstances connected with that meeting, I quote the following from the reminiscences with which Colonel Curtis favored me for use in my *History of Denver*:

"About the middle of November, the Leavenworth party arrived with commissions from Governor Denver as county officers, and commenced negotiations with Nichols for interests in 'St. Charles', agreeing to make it the county seat, etc. He had a meeting with them at which he gave up to them the control of the 'St. Charles' town-site. I was not at the meeting, but Nichols and old John Smith agreed

to see that I should have an interest in the new company. I slept on the earth floor of old John's cabin that night with his half-breed son, young Jack, who was later killed at Sand Creek. Old John came home about twelve or one o'clock, and told me that Courtright and I were members of the new town company. I think it was at that meeting that the name of 'Denver' was adopted. I drew the first plat of the City of Denver [the Denver Town Company's 'Denver City'] and staked out Larimer and Blake, E and F, and a few other streets, in November and December, 1858."

The Denver City Town Company's minute-book, which our State Historical Society also has in keeping, contains no record of this meeting, our knowledge of its time, place and results being derived from other sources. The first official entry in the book is as follows:

"Denver City Company adopted their Constitution on the 22 Nov 1858. and Elected the following Board of Directors and Officers

"President E P. Stout
 "Treasurer Wm Larimer Jr
 "Secty H P. A Smith
 "Recorder P. T. Bassett
 "Directors
 "E P. Stout
 "Wm Larimer Jr
 "J [William] McGaa
 "C. A. Lawrence
 "W. Clancy
 "Hickory Rogers
 "P. T. Bassett

"The Board of Directors appointed Wm Larimer Jr Secty of the Board and also Selected the Same to donate lots under the instructions from the Board

"Under a previously appointed Committee of Messrs Rogers, Bassett McGaa Lawrence & Larimer the[y] secured the services of ——— Curtis [Colonel Samuel S. Curtis] on the 22nd Inst and laid out one principle Street and further the Same Committee Set posts and bounded two miles square for a town Site. Called Denver City.

"Wm Larimer Jr
 "Secty of the Board."

"Denver City
 "22 Nov 1858"

It appears from the foregoing that a committee had been appointed at a previous meeting, probably at that of November 17th, to draft a "constitution"; and it is probable that more than one preliminary meeting had been held. H. P. A. Smith was Secretary of the company, proper; but no records of his making, if any he made, have been preserved. The surviving minutes of the organization's transactions during the first twelve months of its existence were written by General Larimer in his capacity as Secretary of the Board of Directors, and who was also Treasurer of the company. The Denver City "constitution" does not appear in the record. A short series of by-laws, which were not adopted until January 10, 1859, is entered; but these rules contain nothing of especial interest, as in the main they consist of definitions of the officers' duties, which were about the same as those of the officers of the Auraria Town Company.

The new town company and the new "city" were named in honor of Governor Denver. Most of those engaged in the enterprise were his admirers and partisans, and, as we have seen, three of them had come to Cherry Creek with official commissions from him in their pockets. The distinction of having proposed the Governor's surname as a fitting name for

the company and the new "city" was claimed in after-times by perhaps a dozen Cherry Creek pioneers of 1858. But the fact is that the individual who suggested it never was, and can not now be, identified. Mr. E. P. Stout, the company's first President, has said that it was adopted at the first meeting of the promoters, on November 17th; that it seemed to be the spontaneous choice of all present, none other being mentioned; and that in his opinion no one more than another was entitled to credit for having been chiefly instrumental in bestowing the name upon the town.

Although the Denver City Company's promoters never entirely freed themselves from the reproach of having been "jumpers" of the St. Charles town site, they made the members of the St. Charles Town Association full shareholders in the new organization, setting aside for each the same number of town lots to which other original "stockholders" were entitled, and in equally good locations. So, after all, it is probable that the St. Charles men fared as well as they would have done had their own company succeeded in establishing a town upon the site.

The Denver City minute-book contains no list of "Original Stockholders" such as we have in that of the Aurarians. But a good substitute for it is found in the record of the first assessment made upon Denver City shareholders, which is entered as the "Assessment of 22nd Nov 1858", of \$1.50 on each share, and was levied upon forty-one "stockholders".

While most of the members of the Leavenworth-Lecompton party were forceful men and became leaders in Colorado's pioneer affairs, those who constituted it have been accorded a place in the primitive history of the city of Denver that is not warranted by the facts. They have been and still are celebrated as the "founders of Denver", and it has been and continues to be persistently asserted that one of them built "the first house in Denver". As the reader has seen, the Aurarians, who had begun to build cabins about three weeks before the appearance of the Leavenworth-Lecompton men at Cherry Creek, were the actual founders of the city. While the coming of the latter precipitated the "jumping" of the St. Charles town site and the organization of a new town company to occupy it, they were not the originators of that programme, which would have been put into effect had they remained in eastern Kansas. The Denver City President, E. P. Stout, who was among the hundred "Original Stockholders" of Auraria City, already had made a move toward taking possession of the St. Charles claim. With relation to this, which has been confirmed by other pioneers of 1858, Mr. Stout has written:

"I arrived in Denver, or at that time the mouth of Cherry Creek, from Omaha, on October 26, 1858, and a few days after, with the use of a pocket compass taken with me across the plains, laid out, or rather, staked off, the town site of Denver [of the Denver City Company's 'Denver'] together with five or six other parties, among whom were John S. Smith and William McGaa, Indian traders."

Upon reaching Auraria, the Leavenworth-Lecompton men allied themselves, as we have seen, with Mr. Stout and several others who had preceded them at the mouth of Cherry Creek, the combination resulting in the immediate organization of a town company to establish on the opposite side of the creek a rival of Auraria City, which at that time consisted of some eight or ten finished cabins and a dozen or more in course of construction.

The cabin built for Charles Nichols to strengthen his stewardship over the St. Charles town site, and which was used for several days by Hank

Way, the blacksmith, was the first house erected upon the land that was platted by the Denver City Company. General Larimer left a memorandum in which he says that he was occupying this building in the first week after his arrival; presumably while awaiting the completion of the cabin he constructed on what is now the southwest corner of Fifteenth and Larimer streets, which building has been made perversely to figure as "the first house in Denver". The General's record of the circumstance of his occupation of the Nichols cabin occurs in the following, which is entered in his handwriting upon the first page of the Denver City Town Company's minute-book:

"I left Leavenworth City on the 3d day of October 1858 and arrived at the Head of Cherry Creek on the 12th day of November and on the 16th I landed at what is now Denver City at the mouth of Cherry Creek on the South Platte River. My son Wm H H accompanied me through the long and tedious Journey with a 4 yoke ox team I am now living in a house built for a blacksmith shop. Our immediate Company consisted of Messrs Lawrence Dorsett Whitsitt Jewett and my son William."

"Wm Larimer Jr"

"Denver City 24th Nov 1858"

The constancy of the erroneous beliefs, which appear in print occasionally, as the part taken by the Denver City Town Company, and especially by those of its members who were of the Leavenworth-Leecompton party, in laying the foundations of Colorado's metropolis, is a good example of the persistence with which popular impressions that are associated with a familiar name sometimes obscure the facts of history. In this case, the reason therefor evidently is due largely to the retention of "Denver City" as the name of the consolidated towns at the mouth of Cherry Creek, the merging of which into one municipality, under an "act" of the "Legislative Assembly" of "Jefferson Territory", finally was consummated in April, 1860, at which time the former name of the Auraria section began to drop out of use and the historical priority of that unit to be overshadowed by the more aggressive division on the eastward side of the creek.

The rise of two "cities" at the mouth of Cherry Creek in the autumn of 1858 proved fatal to Montana City. As mentioned a few pages back, some of its citizens deserted it late in October and participated in the organization of the Auraria Town Company. During November, several others of the Montanians, having lost faith as to the permanency of their hamlet, removed to Cherry Creek, taking with them the useful material of their cabins, which they rebuilt in their new locations. In the next spring, the rest of the Montanians followed the example of these; and so their "city" ceased to exist, and its site reverted to a state of nature.

Late in December, Samuel S. Curtis, of the Denver City Town Company, laid out a "city" on Clear Creek, at a place about two miles east of the site of the present town of Golden, and which he named "Arapahoe City". This enterprise, which was Colonel Curtis' personal affair and therefore had no town-company organization, did not get beyond the paper stage until early in the spring of 1859, when a swarm from the leading columns of the host of fortune-seekers who came to the mountains in the first half of that year occupied its site.

The outfit for the first mercantile establishment in the settlements made in the "Pike's Peak Gold Region" in 1858, put in an appearance upon

the site of Auraria City at the close of October. It was owned by Charles H. Blake and Andrew J. Williams, who were partners under the firm-name of Blake & Williams, and who took part in the organization of the historic Auraria Town Company. Coming from the Iowa village of Crescent City, they reached the mouth of Cherry Creek on October 27th, with a train of four wagons, each of which was drawn by four yoke of oxen, and loaded with a stock of general merchandise adapted to the wants of miners and other frontier customers. They began business on November 1st, in a large tent, but soon afterward built and occupied a double cabin, the site of which is on the north side of the present Wewatta Street, near what is now Twelfth Street, in "West Denver". A week after the arrival of Blake & Williams, the business outfit of Kinna & Nye, having a small stock of hardware, some sheet-iron and tinner's goods, pulled into Auraria City. It was in charge of John Kinna, the practical man of the firm, whose partner in and principal capitalist of the venture, John Nye, did not join him until the following spring. Kinna was given a building site that was situated on what is now Eleventh Street, and near the northeasterly corner of that street and Market Street. Upon this ground he erected a cabin, which he used for both domestic and business purposes. Early in December, J. D. Ramage, a jeweller and a repairer of watches, became the third Cherry Creek business man, and established himself in Auraria City, on the east side of the present Eleventh Street, near the southeasterly corner of that street and Larimer. In the forenoon of Christmas Day, another addition to the business circle of Auraria City was made by the arrival of Richens L. Wooton, an old trader among the Indians, who had come from Fort Union, New Mexico, with two wagons laden with trading-goods, a part of which was contained in barrels. Having pitched his tent, Wooton resolved to make at once a favorable impression and general acquaintance among the people of the two "cities" by a sweeping appeal. Unheading one of his barrels and hanging a tin cup on it, he invited his callers freely to help themselves to its contents. As the day was almost as genial as the best in June, this social "function" was turned into a popular celebration of Christmas, the first at the mouth of Cherry Creek; and before nightfall the host was "Uncle Dick" to every man in both towns.

Contrary to what was anticipated by our pioneer communities, the winter season thus far had been of surprising mildness, the continuing gentle conditions of autumn weather having been affected by nothing more unpleasant than an occasional light snow-squall.

Through November, and even in the fore part of December, bands of Argonauts, mostly of small numbers, had drifted into the new land of promise, the majority of whom went to the "cities" of Auraria and Denver, which were now beginning to be considered as constituting the "capital" of the Pike's Peak country. The largest party of these belated incomers consisted of thirty men from Lawrence, Kansas, and who arrived at the Cherry Creek towns on December 1st. The accessions of population received by these rival metropolises during several weeks before Christmas, together with their increasing importance in public notice and esteem, convinced their founders that they had been located wisely. Yet they were a sorry-looking pair of hamlets, presenting in their appearance nothing that seemed to warrant the ambitions which their respective partisans were nursing. By the close of December there were about fifty cabins in Auraria City, and

about half that number in Denver City. But, to the great chagrin of its citizens, the latter was destitute of any kind of "mercantile establishment". Therefore, when they had to buy goods, either wet or dry, they must humiliate themselves by crossing the creek to find a market, and so concede openly the superiority of Auraria.

But not all the interest of our pioneers of the autumn of 1858 was centered upon the growth and prospects of future greatness of their settlements. Among a large majority of them the purpose with which they had come to the mountains had not been neglected. While those who were squatted at El Paso and near the mouth of the Fontaine qui Bonille appear to have done but little, if any, prospecting, and probably had not seen so much as a "color", and while, also, the colonies at Red Rock and on the Cache a la Poudre remained comparatively inactive, the search for gold had been kept up industriously since the middle of October by the dwellers at the mouth of Cherry Creek. Yet the actual results in values had been discouraging. Exaggerated understandings of what the Russell party had done at Placer Camp had strong influence in exciting the imagination and sustaining the hopes of every fresh addition to the twin communities. Many of these amateur miners had toiled day after day in that locality, sometimes finding a little gold, but more often without seeing a trace of the metal. The "Mexican Diggings", so named at that time, and which, as I have already related, had been worked by Trader Smith and his Mexican partners in the summer of the year before, also received attention, but yielded only meager quantities of "dust". Other prospectors went elsewhere up the South Platte, and some went down, digging and panning here and there, with scant rewards. As Cherry Creek had become associated with previously reported "discoveries of gold at Pike's Peak", some of the prospectors had prowled in its bed from its union with the Platte to its upper stretches, but the outcome of their work was more tantalizing than profitable. Clear Creek, to its breaking-away from the mountains, and its lower affluents, also, in the careful search to which their beds had been subjected, had given up some scales and grains of the coveted metal; but no one who prospected **them found much more than the equivalent of the cost of the food he consumed.**

Such were the conditions that confronted our pioneers at the close of the year 1858. They had washed out some gold at each of many places, but not, excepting the Russell party's first work at Placer Camp, in paying quantities at any. No new diggings of encouraging significance had been developed, and therefore belief in a radiant future for the country was wholly a matter of confidence in what must yet come to pass. While all the gold that had been mined in the "Pike's Peak Gold-fields" during that year probably would not have equaled in value the cost of outfitting and moving the smallest of their wagon-trains that had come from the Missouri River to Cherry Creek, they were convinced that somewhere in these mountains rich sources of the widely and thinly scattered vagrant gold they had found soon would be discovered. Because of this conviction, letters, to be dispatched however and whenever they might, written by some of them in the course of that winter; described the country as being rich in gold, an endowment that in the main then was visible only to the eye of Faith.

Our pioneers' first winter at the Rocky Mountains continued, with but few interruptions, to be mild and sunny to its close; and by the coming

of spring several more town companies had planned and platted "cities" in the Pike's Peak country.

On February 10th (1859), the colony at Red Rock, which meanwhile had received a number of accessions to its population, organized the "Boulder City Town Company", with fifty-six shareholders, and of which Alfred A. Brookfield was elected President. As the promoters of the enterprise were confident that their town would become the metropolis of the South Platte district, if not of the entire "gold region", they gave generous bounds to the area it was expected to occupy. The site selected for it, embracing 1,240 acres, the equivalent of two square miles, extended from the mouth of the cañon two miles down the course of Boulder Creek. This tract was divided into 337 blocks, each of which was subdivided into twelve lots, according to a plan proposed by Henry W. Chiles. Cabin-building was begun in an early stage of the survey, the platting being completed and a "splendid" map of the town site made in the middle of the following spring by T. W. Fisher and George W. Gregg. At this time there were between 1,500 and 2,000 people assembled upon and in the near vicinity of the site. But the speculative tendencies of a majority of the town's shareholders had persuaded them to adopt a policy that retarded the growth of the settlement for several years. Of this blunder and its consequences, E. Bixby, in his historical sketch of Boulder County contained in a *History of Clear Creek and Boulder Valleys*, published in 1880, says:

"Early in the affairs of the town company, two parties arose, one in favor of holding the town lots high, in order to make a 'big thing' for themselves; the other in favor of giving away alternate lots to those who would build on them, or do most anything to induce population and capital. Unfortunately the high-priced party prevailed, but the lots were not taken at \$1,000 each, or any such figures, and the grand scheme collapsed, only one quarter section being retained, on which to continue the work of building up a city, under adverse circumstances. It was the hope, and reasonable expectation, to have made Boulder what Denver afterward became—the leading town of the Territory. . . . It was to this end, that the Platte river ~~was~~ bridged at a point [at Fort St. Vrain] designed to turn travel this way, and ~~great road enterprises~~ undertaken to reach the Gregory mines."

About the time in which the Boulder company was formed, a town company was organized among the dwellers on the Cache a la Poudre a short distance above the location of our city of Fort Collins, for the purpose of making their camping-place the site of a permanent settlement, to which the name "Colona" was given. The organization consisted of Antoine and Nicholas Janise, who had obtained the consent of Bald Wolf's band of Arapahoes to the project in hand; Elbridge Gerry, a frontiersman; John Baptiste. B. Goodwin, Antoine Lebeau, Oliver Morissette, ———— Randall, ———— Ravofire, ———— Raymond, ———— Todd, and several others whose names are not of record. Antoine Janise, in a brief account of the undertaking, written in 1883, says "we had the site surveyed and mapped, and built fifty houses, or cabins". A few years later, the town, which still survives, was reorganized and given its present name, La Porte (the Gate).

The little community that had gathered on the Fontaine qui Bouille, a short distance above the mouth of Monument Creek, organized the "El Paso Town Company" and in that locality laid out "El Paso City" during that winter; so naming the rudimentary town because its site was in the gateway to the Ute Pass, through which lay an old Indian trail into the South Park. Definite knowledge of the date and circumstances of the for-

mation of the El Paso organization is lacking, as, unfortunately, no "official record" of the company's transactions has come into light. The area appropriated for the town site embraced a part of the land within the limits of the present Colorado City, but did not extend into the site of Colorado Springs, as appears in some accounts of El Paso's brief career. By the advent of spring the town consisted of several cabins, and it has been said that "something like \$2,000 worth of lots in El Paso were sold before their position had been decently platted on paper, or a street had been definitely surveyed". But it is likely that if lot-sales to that amount were made so early in the proceedings they were upon a "paper" basis, which also proved to be the case with the "city" as a whole, for the latter was superseded in the following summer and autumn by Colorado City.

In the meantime, the smaller band of Pike's Peakers, who had located on Monument Creek, two or three miles from its mouth, had given their "settlement", which is said to have consisted of one log cabin and some tents and covered wagons, the enticing name of "El Dorado City". But little is known for certain concerning the citizens of El Dorado, whose makeshift town did not prove to be permanent. No record of their organization of a town company has been found, and it is probable that they did not go through the motions of forming such a corporation. In the political movements that were instituted early in the spring of 1859, El Dorado and El Paso figured together in April and once or twice afterward as a "precinct" for election purposes.

It appears that the group of pioneers squatted on the east bank of the Fontaine qui Bouille, near its mouth, had begun to call their ragged little hamlet "Fountain City" by the end of the year 1858. Before the break of that winter, they had organized a town company, and platted a town site that included the ground which the first of them occupied in the previous November, the surveying having been done by J. M. Shafer and ———— Brown, who had had experience in platting frontier "cities". About thirty cabins had been erected, some of which were built of logs and some of adobe, a part of the last-named material having been taken from the crumbling walls of the old Pueblo, of fur-trading times. As in the case of El Paso, as well as in that of some others of our pioneer town-founding organizations, the records of the Fountain City Town Company are not known now to exist. Delegates to the first convention in the movement started in the spring of 1859 to organize home-made general government for the Pike's region were elected in Fountain City early in April.

The people of this primitive town, which was less promising than the double-barrelled community at the mouth of Cherry Creek, and which subsequently was swallowed up by the city of Pueblo, were disposed to depend more on resources of the country other than mining, and which has been, as it continues to be, rather characteristic of the city that now stands in that locality. As the reader will recall, considerable areas of land in the vicinity of the Fontaine's mouth were under cultivation during the fur-trading period, which circumstance suggested to some of the citizens of Fountain City that this land afforded a sure and ready-at-hand source of profit. Early in the spring of 1859, they planted a large acreage to vegetables and Indian corn, the produce of which they sold at hair-raising prices to passing parties of the army of fortune-seekers that entered the

"Pike's Peak Gold-fields" before midsummer of that year, the spring season having been exceptionally favorable for such crops.

In the closing months of 1858, extravagant versions of what was going on in the western confines of Kansas Territory appeared in newspapers published in the Missouri River border. According to these stories, "mines of great richness" had been discovered there, and several "cities" already had "sprung up" and were "rapidly increasing in population". During the ensuing winter, other journals took up the refrain and spread the "Pike's Peak excitement" over the States. Newspapers issued in the frontier towns on the Missouri River, which in that period was navigated by many steamboats, soon began to embellish their narratives with all the colors of the rainbow, and obtrusively to present the alleged advantages of their respective "cities" as outfitting points for Pike's Peakers. Each of these, easily to be reached by river steamers, was represented to be far better prepared than any other to supply yoke-cattle, horses, wagons, provisions and tools to all who had the ambition and energy to go to the Rocky Mountains and there shovel out a fortune.

CHAPTER XII.

THE MEMORABLE SPRING OF 1859.—HEGIRA OF FORTUNE-SEEKERS TO THE PIKE'S PEAK COUNTRY.—DISCOVERIES OF GOLD IN THE MOUNTAIN VALLEY OF BOULDER CREEK.—PLACER MINING IN THE VICINITY OF THE CHERRY CREEK TOWNS.—ITS MEAGER RETURNS.—ARRIVAL OF THE ADVANCE OF THE MIGRATING HOST.—AURARIA-DENVER THE FIRST OBJECTIVE POINT OF THE INCOMING MULTITUDE.—DEPRESSING CONDITIONS IN THE "NEW LAND OF GOLD" AT THAT TIME.—AMAZEMENT AND INDIGNATION OF DISAPPOINTED MEN.—BACKWARD MOVEMENT OF THE MALCONTENTS.—PANIC-BREEDING EFFECTS OF THEIR REPORTS AMONG THE THROGS UPON THE PLAINS.—PIONEER NEWSPAPERS.—COMMENTS OF THE ROCKY MOUNTAIN NEWS ON THE CONDUCT OF THE "GOBACKS".—CONTINUED INFLOW OF SANGUINE MEN.—VITAL DISCOVERIES OF GOLD IN THE MOUNTAINS.—RESULTS OF PROSPECTING ON UPPER CLEAR CREEK BY GEORGE A. JACKSON AND JOHN H. GREGORY.—DELAY IN GIVING PUBLICITY TO THEIR SUCCESSES.—HEADLONG RUSH OF EAGER ARGONAUTS INTO THE MOUNTAINS.—RETURN OF WILLIAM G. AND J. OLIVER RUSSELL WITH A LARGE COMPANY OF GEORGIANS.—THEIR WORK IN RUSSELL GULCH.—MINING OPERATIONS AT CHICAGO CREEK AND ON THE NORTH FORK OF CLEAR CREEK.—FURTHER DISCOVERIES ON BOULDER CREEK.—CONGESTED CONDITIONS IN THE NEW MINING DISTRICTS.—EXTENSION OF THE SEARCH FOR GOLD.—PROSPECTORS ENTER THE SOUTH PARK.—DISCOVERY OF RICH PLACERS IN THAT BASIN.—FLIGHT OF THOUSANDS INTO THE NEW FIELD.—SOUTH PARK MINING CAMPS AND "CITIES".—GOLD-HUNTERS CROSS THE MAIN RANGE.—THEIR DISCOVERIES ON THE HEADWATERS OF THE BLUE RIVER.—ATTITUDE OF THE UTE INDIANS.—PROSPECTORS SLAIN BY THEM.—THE PIKE'S PEAK COUNTRY NOW PROVED TO BE A GOLD REGION.

The dazzling tidings that went far abroad from the "Pike's Peak Gold-fields" in the winter of 1858-59 were welcomed gladly by thousands and tens of thousands of men then living between the western frontier and the Atlantic Coast, but by none more ardently than by the dwellers in the settlements in what was then termed the "Missouri River Border", which was littered with sites of paper "cities" that had been submerged by hard times and rank growths of prairie grass. Of those in the direction of sunrise whose hopes and ambitions had been refreshed and enlivened by these golden tales, a multitude made preparations during that winter to set out at its close upon the long journey to Pike's Peak, in the vicinity of which all expected soon to gather fortunes large enough to make them comfortable and happy for the rest of their years. So, early in the spring of 1859, an eager host was afoot in a heedless, headlong rush across the plains to the "new land of gold"; and at the same time bands of sanguine men were leaving New Mexico and others were departing from California for the same destination.

Meanwhile, however, the state of mining affairs among those already upon the ground remained about the same as they had been at the beginning of the year. The most encouraging events that had come to pass in the meantime were the discoveries of gold made by members of the community that was cabined at Red Rock. On January 15th, a party of six of these

pioneers—James Aikins, I. S. Bull, Charles Clouser, William Huey, W. W. Jones, and David Woolley—found a profitable placer, about twelve miles to the northwest of their settlement, in the bed of a branch of Four-mile Creek, which is a left-hand foot-hill tributary of Boulder Creek, and to which branch they therefore gave the name "Gold Run". At the close of that month, B. F. Langley discovered gold, in quantities that gave him reasons for believing that he had "struck it rich", in a gulch opening upon South Boulder Creek at a point ten or twelve miles southwest of the site of Boulder City; and as the place was strewn with fallen timber, the name "Deadwood Diggings" was bestowed upon it soon afterward. These results of prospecting in the hills back of Red Rock were regarded as highly significant by the few experienced men then in the country, as they tended to confirm their convictions that permanent mining would be developed only in the mountains of the region.

Many of the citizens of the twin towns at the mouth of Cherry Creek had continued to delve in the channel of the South Platte and in the beds of the smaller streams in the general vicinity of their settlements. Cherry Creek was searched thoroughly for miles from its mouth, but without much to show for the trouble. Occasionally some of the industrious workers along the river and in the troughs of a few of its near-by mountain affluents washed out several dollars' worth of dust in a day; but such favorable places were scarce and hard to find, and their resources soon gave out. Work of this kind that was done by the Cherry Creekers in March and April of that year did not, according to estimates made at that time, produce values that averaged fifty cents daily to each of those engaged in it, while the cost to each of the plainest and cheapest food sufficient for a day was figured to be about one dollar.

It is doubtful if the value of all the gold that had been mined in the entire Pike's Peak region up to the beginning of that May amounted to ten thousand dollars—a shabby return for the expenditures of money in preparations for their tramp across the plains, and for their maintenance after their arrival at their destination until they could find means by which to obtain further subsistence. Yet the faith of a large majority of them in a golden future for the country remained unshaken.

Several organizations, that formed the advance of the oncoming host of fresh Pike's Peakers from the East and had made an early start from the Missouri River, arrived at the Cherry Creek towns before the middle of March. While it was generally understood among the legions that came to the Colorado mountains in 1859 that the "new gold diggings" were "at Pike's Peak", the great body of these civil soldiers of fortune made the Auraria-Denver settlement their immediate objective point. Before the close of April, the immigration had risen to tidal proportions—streaming throngs of excited and impatient humanity, that did not cease to flow until past midsummer. Almost every occupation of mankind had representatives in this multitude, which also included some men who were trained to none. In its "supply-trains" were wagons laden with various stocks of merchandise; others carried quartz-mills, saw-mills, kits of mechanics' tools, and outfits for printing newspapers; and with all there was an abundant supply of the simple implements required for placer-mining.

Of the number of men that swarmed into the Pike's Peak country in that year there were no adequate means of determining with any near

approach to exactness. According to some calculations, those who started upon the march to the new land of promise aggregated 150,000, but doubtless these figures are much too large. Bodies of people usually are over-estimated numerically. However, it is well within probability to say that there were two-thirds that number. Upon the great plains, their caravans, when the movement was at high tide, formed almost continuous trains upon several lines of travel, and at night their camp-fires appeared as strands of beacon-lights stretching from the Missouri River to the Rocky Mountains. Yet those who formed this migrating host had left their homes with no better information as to what was before them than that which they had derived from the unconfirmed but glowing reports which had been spread broadcast in the previous winter by reckless and irresponsible agencies.

The majority of these confident pilgrims expected to engage in mining immediately upon their arrival at the mountains; though, with a few exceptions, they had no practical knowledge of the nature of the work. It was generally understood among them that a pick, a shovel and some kind of pan were necessary, and that with these tools and easy manual labor they could soon acquire golden fortunes from the banks and beds of rivers and creeks anywhere and everywhere in the region around Pike's Peak; but some appeared to believe that nuggets of gold were to be found strewn upon the surface of the ground, to be picked up as they had gathered walnuts and hickory-nuts in the woods back home. No thought of failure and consequent disaster kept company with these cheering and gratifying fancies.

Coming with such inspiring delusions in possession of their minds and thoughts, those of the Fifty-niners who reached the Colorado mountains before the middle of May were astounded by the conditions that confronted them. Instead of finding flourishing young "cities", and busy "diggings" in the vicinity of these, they saw several small collections of rude cabins—the most pretentious being at the mouth of Cherry Creek—each group having a high-sounding name, but all sustained only by hope and faith in the ultimate result of the continued search for gold, which still remained to be discovered in place and quantity that would justify the application of the term "Gold-region" to the Pike's Peak country. Some disquieting rumors as to the state of affairs "out at the mountains" had been heard at the Missouri River early in that spring. These were to the effect that the small amounts of gold that had been brought to the river late in the previous year by men returning from the reputed new gold-field at Cherry Creek were not found there, but had been obtained from California and sent east by holders of alleged placer mines on and near that stream with intention to "raise an excitement", in which they expected to profit by selling their claims. While this grape-vine news caused hundreds of the fortune-seeking throng then at or in the vicinity of the river to abandon their purpose and turn homeward, the "Pike's-Peak-or-Bust" sentiment dominated among the many and discredited and derided the unwelcome tattle.

In the last half of April, the Auraria-Denver settlement was surrounded by the camps of thousands of the newcomers, and the two towns were swarming with indignant men demanding to be shown the gold-diggings, holding the community to be responsible for the reports which had allured them to Pike's Peak, and, in threatening terms and tones, denouncing several prominent pioneers for the conspicuous part these were charged with having

taken in representing the region to be a field of gold. It was indeed a sorry feast of scant loaves and little fishes that the Cherry Creek pioneers had to offer the fiercely-hungry multitude that was pouring in upon them. Moreover, two homicides already had occurred—one in Denver, the other near by; and some thieves had begun to plunder. The exasperated element in the throng declared that as robbery and the chances of death by violence now were added to their misfortunes they should get out of the country forthwith, and in doing so would warn all whom they met of the enormity of the imposition by which they had been victimized.

So a backward movement was begun at once by the malcontents, some of whom were without sufficient equipment or provisions for the retreat to the Missouri River. As they made their way eastward they execrated the Pike's Peak region and told alarming stories of disaster and ruin at Cherry Creek. Utter lawlessness was in command there, and neither life nor property was safe for an hour at a time; many of the men accused of having participated in "deceiving the people" as to the discoveries of gold had been "strung up" by an infuriated mob, which also had sacked and burned the town of Auraria. The migration from the East now was at flood-tide, but belated Argonauts still were forming companies at the Missouri River and making final preparations for the trek across the plains.

The tales told by the panic-breeders had a full measure of effect. Some parties of the oncoming concourse, and which were within view of the mountains, dismayed by the assurances that the "Pike's Peak Gold-region" was a flagrant fraud and by the accounts of violent anarchy at Cherry Creek, turned in their tracks and became allies of their informants, with the needy members of whom they shared their provisions and camp outfits. The augmented bodies of retreating men soon grew into panic-stricken throngs, which, as they moved onward, gained fresh accessions daily. All in all, the number of men who eventually took part in the stampede back to the Missouri River probably exceeded 40,000; and the trails they traveled were littered with wreckage almost as greatly as if a routed army had used the roads in headlong flight from the enemy. Broken-down wagons were left where they stood, and the wayside were strewn for hundreds of miles with other belongings which had been cast off—rough merchandise, camp equipment, mining tools, and all sorts of the odds and ends of their outfits, which had been thought not worth carrying back. Yet the cost of this discarded property had amounted to many thousands of dollars. No small number of the stampederers had invested their entire financial resources in preparing for the abandoned venture, and practically were penniless when they arrived at the river.

As these incensed and improverished men scattered toward their homes, they were industrious in reporting that the "Pike's Peak Gold-region" was a fraud, a swindle, a "humbug", a delusion and a snare, that had brought ruin upon them and surely would ruin the fortunes of many others. Their stories soon were given wide publicity by the newspapers in the States, and were accepted generally as representing the facts. The evil effects produced upon the public mind in the East by these reports received "official" notice and comment toward the close of that year from the "Legislature" of the provisional Territorial government which in the meantime had been, but without lawful authority, organized in the Pike's Peak country. That body of lawmakers, in a "Memorial to the honorable his

Excellency, the President and the Congress of the United States", praying for the recognition and lawful habilitation of their home-made government, and which was adopted in November, said:

"The history of that emigration [in the spring of 1859], the insane hopes of some of the emigrants, and their sure disappointments, and the reactionary wave of excitement which bore back the majority, and caused such suffering and distress, are already too well known to require notice here; suffice it to say, that, amid all the discouragements and hardships suffered, the great truth has been marked out that the sanguine hopes of the pioneers of 1858 have been more than realized, and the mining and agricultural resources of the country are beyond a doubt."

In eight memorials, duplicates as to their text, signed by some thousands of Pike's Peakers and sent to President Buchanan in the winter of 1859-60, reciting the needs of the new mining region for a separate lawfully-constituted Territorial government, the following appeared:

"In making these assertions and protestations, your memorialists crave a generous credit for candor and truth from your excellency. The terrible privations and misery of an unprepared and insane flood of immigration in the earlier months of 1859, whose representations, aided by the statements of a false and interested press in the distant States, had possessed the mind of the whole Union of the existence of an alarming, infamous imposture, has gradually quieted in effect, until at this period the current truth is being felt in every State, of which the astonishing facts can only be known here, and which time and events will, in the coming season, spread broadcast over the face of the earth."

The outfits for printing newspapers that were taken into the "Pike's Peak Gold-fields" in April, 1859, consisted of two equipments, which were unloaded in Auraria City. The first and smaller, brought from St. Joseph, Missouri, by John L. Merrick, arrived on the 13th of that month. The other, owned by William N. Byers and Thomas Gibson, who had come from Omaha, reached the mouth of Cherry Creek on April 20th, and was installed in the second story of a hewn-log building that had been erected in Auraria since the beginning of that year by R. L. Wooton, and which was the only structure of more than one story yet constructed in any of the Pike's Peak "cities". Merrick, who had slept upon his opportunities, had not attempted to make use of his printing-outfit; but when Byers and Gibson appeared with theirs he hastened to produce the first issue of the *Cherry Creek Pioneer* before his rivals could place themselves in advance of him with their publication. However, he failed to do so. Byers & Gibson took from their press the first edition of their *Rocky Mountain News*—the first newspaper printed in the Pike's Peak region, and which still flourishes—on Saturday, April 23d, the first copy being printed about half an hour before Merrick made the first impression of his *Pioneer*. That issue of the latter was its last. Its publisher traded his "plant" to Mr. Gibson for a stock of provisions, with which he set out upon a prospecting expedition into the foot-hills.

From its initial appearance, the *News*, which was published weekly during the next twelve months, did more than any other single agency to hearten the Pike's Peak pioneers, to uphold order and defend the right, and to guide the way through the many difficulties that beset the paths of Colorado's founders. It was the valiant champion of the new country, under oft-discouraging conditions, and the expounder of unshakable faith in the ultimate triumph that would come to those who remained steadfast.

In its issue of June 18th (1859), the *News* contained the following editorial article:

"THE GOBACKS."

"We hope this class are all again safely at home to their Pa's and Ma's, their sweethearts, or 'Nancy and the babies'; there may they dwell in sweet seclusion, retirement and repose, and whilst they sit around the old chimney corner they can fight their battles over again, tell how they 'fit' and bled and starved to death, how they burned towns and helped to hang people, (or stood and looked on while they were being hung,) who we are pleased to be able to publish to the world as still living and rapidly accumulating their fortunes. Farewell to the 'gobacks', they have had their day and soon will be forgotten. Whilst they are following the plow or swinging the scythe at fifty cents per day they can sing the words and keep step to the music of 'Our trials and tribulations over the plains'.

But good and true men were overpowered and carried back by the ebb-tide. We would fain believe there were many who did not travel down the Platte to repeat and spread lies respecting this country and some of its citizens, men who did not enter into any league to burn and destroy towns and cities, to cause suffering and dark suspense to the innocent on whom no earthly blame could rest—upon those whose only fault was having dear friends in the mines. Such men we can again welcome to this country to partake of the advantages and bright prospects now opening up. But there are those who we would advise never again to show their faces within the proposed State of Jefferson—we have heard threats of retaliation from some persons here of 'an eye for an eye and a tooth for a tooth'."

In the meantime, however, a revolution had come to pass in the condition of affairs in the "new land of gold". The coveted metal had, at last, been found in place and quantity that fully justified the application of the term "Gold-region" to the upper South Platte country.

But during the weeks since the original panic-spreading "gobacks" had shaken the Pike's Peak dust from their feet, streams of immigrants had continued to flow to the eastern base of our mountains. Not all of those who were westward-bound upon the plains in that spring were turned in their course and stampeded by the wild stories told them by the retreating throngs. Hundreds of parties, so organized for the march to the peak, heedless of these tales, moved onward upon their way; and these were followed by others, which had organized at the Missouri River after the "gobacks" there had dispersed toward their homes.

As I have already mentioned, the great body of these fortune-seekers made the Auraria-Denver settlement their first objective point. Of those who came in March, April and early in May, many turned to prospecting along Cherry Creek, the Platte River, and in the beds of the creeks and brooks between the river and the foot-hills, while some went short distances into the latter. There was a large gathering of them upon the Arapahoe town-site, which Colonel Curtis had "laid out" at the close of the preceding year; and another swarm had hurried to Boulder Creek in expectation of "getting in" and staking out claims on Gold Run and in Deadwood Gulch, at which places members of the Red Rock community had found gold in the past winter. J. D. Scott, a citizen of the Boulder settlement, recently had fallen upon an outcropping gold-vein in a hill toward the head of Gold Run and not far above the open diggings on that stream, and had given to the eminence in which the streak appeared the attractive name of "Gold Hill". Although this was the first gold-bearing vein that had been seen and recognized by any of our Pike's Peakers, information concerning it had not been given much publicity.

Still the actual results in gold of all that was now going on in the foot-hills and in the lowland district along their base represented no values of much importance; and the general situation among the multitude in the first half of May continued to be that of expectant "waiting for something to turn up".

However, two great discoveries had been developed in the recesses of the mountains before the middle of that month, but knowledge of them was confined to a favored few. George A. Jackson, whose boyhood home was in the town of Glasgow, Missouri, was the pioneer in this work, and who had been a miner in California. He went to the coast in 1849, when in his seventeenth year, with a party of Missourians, of which his cousin, Kit Carson, was the leader, and worked in the California placers for several years, returning to Glasgow in 1857. In the spring of 1858, he crossed the plains to Fort Laramie with a stock of goods for trade with the Indians, and was among the Cheyennes and Arapahoes when the Russell and Lawrence parties came to the Colorado mountains. Having learned of the presence and purposes of these Argonauts in the Pike's Peak country, Jackson, with three companions, coming from Fort Laramie late in that summer, also engaged in prospecting for gold, finding some rather good "colors" in the bed of what was then called the Benito Fork of St. Vrain Creek. Moving on southward, they visited the Georgians, at Placer Camp, in the last half of September, shortly after the latter had returned from their tour into the North. A day or two later, Jackson and his associates started back to Fort Laramie, and while on their way thither prospected Ralston Creek with results about the same as those they had obtained at the Benito Fork.

About the beginning of the following December, Jackson appeared in the twin "cities" at the mouth of Cherry Creek, from which, early in that month, in company with Thomas L. Golden and James Sanders, he went to the site of our town of Golden. Here the three men built a small shack to serve them as a shelter for the winter, and also put in a week or two at resultless prospecting in its immediate vicinity. Toward the end of the month, the season being comparatively mild, they decided to extend their hunt for gold into the cañons and gulches of upper Clear Creek. With this purpose in view, they started into the mountains on December 30th, going by way of Mount Vernon Cañon. On the next day, when in the locality that later became known as Bergen Park, they fell in with a large herd of elk, the sight of which caused Golden and Sanders to abandon the original design of the expedition and in the meantime to become elk hunters. After an understanding among the three that they should return to their winter quarters within a week or so, Golden and Sanders put off in pursuit of the elk.

The unwavering Jackson, accompanied by his two dogs, "Drum" and "Kit", moved on and descended, through beds of snow that were two or three feet deep in many places, into the Clear Creek Valley, striking the creek at the confluence of its larger north branch, the present North Fork. He carried about a week's supply of provisions, but was without the usual tools for placer prospecting and mining—the pick, shovel, and pan. Proceeding up the main stream by short daily tramps, and with eyes alert for signs of gold, he reached the mouth of the creek that discharges into Clear Creek opposite the town of Idaho Springs on January 5th, and made camp

under a "big fir tree". He noted in his diary, which is the source of these particulars of his undertaking, that there was "good gravel here", which "looks like it carries gold", but was "hard frozen". On the next day, he "built a big fire on rim-rock to thaw the gravel", and "kept it up all day". On the 7th, he "removed fire embers and dug into rim on bed-rock, panned out eight 'treaty cups' [an iron drinking-cup holding a little more than a pint] of dirt and found nothing but fine colors; ninth cup I got one nugget of coarse gold; feel good to-night". The entries in his diary that are dated January 8th and 9th contain the following:

"Pleasant day. Well, Tom, old boy [Golden], I've got the diggings at last. . . . Dug and panned to-day until my belt-knife was worn out, so I will have to quit, or use my skinning-knife. I have about a half-ounce of gold, so will quit and try and get back in the spring.

"Filled up the hole with charecoal from the big fire and built a fire over it; marked the big fir tree with belt-axe and knife; cut the top off a small lodge-pole pine on a line from fir tree to hole, 76 steps from big tree in a westerly direction; all fixed now; will be off down the creek to-morrow."

Although Jackson had secured no large quantity of gold, the results of his work together with his knowledge of gold-mining convinced him that mines of great value could be developed in the locality. Upon his return to his winter quarters, he told Golden of the discovery; and the two agreed to keep the matter a secret until spring, as winter conditions in the mountains rendered it impracticable to attempt further prospecting in their recesses at that time. Sanders, the third man of the party, seems meanwhile to have dropped out of the little organization, as he does not figure in Jackson's narrative after he had taken to elk hunting.

A few weeks later, John H. Gregory, who had had some experience in the thin gold-mines of northern Georgia, went alone into the mountain valley of Clear Creek upon a prospecting venture. He had left his home in Gordon County, Georgia, in the spring of 1858, intending to go to the then new gold-field on the Frazier River, in what is now the Canadian Province of British Columbia, and some four thousand miles distant from his starting-point. As he was poor in purse, he made his way westward slowly, arriving at Fort Leavenworth, Kansas, late in the summer of that year. Here, after a few weeks of waiting, he was employed to serve as a teamster in a military train bound from that fort to Fort Laramie, and with which he reached the last-named post about the middle of the following autumn. Finding here no opportunity to continue his westward journey in some such capacity as that in which he had crossed the plains, and being financially unable to proceed upon his own account, he tarried at Fort Laramie, supporting himself by such jobs of common labor as he could find to do. Having heard, while thus stranded, of the "Pike's Peak Gold Excitement", and that parties of miners had made settlements on the South Platte, near the mountains, he expended his very slender means for provisions and a simple mining-kit, and with this outfit started southward afoot, early in January, upon what he termed, in a statement made by him in the following summer, "a prospecting tour on the east slope of the Rocky Mountains". According to his account, he had no associate; nor did anyone ever turn up with a valid claim to having been with him. He said he prospected the foot-hill streams from the Cache a la Poudre River to Clear Creek. But as this search had yielded him no reward for his labor,

he went into the mountains by way of Clear Creek and its North Fork. About the middle of that month he was upon the site of the town of Black Hawk, where he panned out some "colors", the first he had found since leaving the foot-hills. He now went up a side gulch to the mouth of a small ravine, where he used his pan with better results, obtaining modicums of actual gold-dust in several places, from material taken from the surface of the ground. He was almost upon the lode the discovery of which less than three months later gave him great local fame and also a moderate fortune. But as a heavy fall of snow now set in, he was forced to leave his excellent prospect and return to the foot-hills. He was almost out of provisions, and quite out of means with which to procure a fresh supply.

Among the parties that arrived at the mountains rather early in that spring, and went into camp at Arapahoe, was one which was called the "Chicago Company", because most of its members were from the city of Chicago. Becoming acquainted with our pioneer mountain-pro prospector, George H. Jackson, of whose discovery in January neither he nor Golden had dropped even so much as a hint to anybody, the Chicago men, after learning that he had been a miner in California, asked him to become their associate, guide and counsellor in a prospecting expedition into the mountains, agreeing to furnish him with provisions and other essentials from their outfit. Having required them to include Golden in the membership of the party, Jackson accepted the proposal; but when he suggested to his friend that the Chicago men soon should be told of what he had found in January, Golden objected, their disagreement resulting in their permanent separation and in the elimination of the latter from the enterprise.

The Chicago organization, which, including Jackson and a few other recruits, now numbered twenty-three men, started into the mountains early in April. The guide and counsellor withheld his secret from his associates until he became better acquainted with them and was convinced that they were "on the square". Some sections of the mountain way were extremely rough for teams and wagons. In several localities the vehicles had to be unloaded, taken apart, and the loads and wagon-parts carried over places that otherwise were impassable. In consequence of the hard and trying conditions that were encountered upon the route, it was about the middle of April when the party arrived upon the scene of Jackson's discovery. All hands staked out claims immediately, two of which, according to law and time-honored custom, being assigned to the discoverer. At a formal meeting held on the 17th of April, this band of pioneers organized the first mining-district formed in the Pike's Peak country and adopted regulations for it. The small stream, to the mouth of which Jackson had led the company, then received its present name, "Chicago Creek", in honor of the Illinois city from which the greater number of the members of the organization had come.

Having no lumber, these resourceful men knocked apart the box-beds of their wagons, and with the boards thus made available they set up some sluice-boxes, which served their purpose temporarily. With these makeshift contrivances they washed out gold values amounting to about \$1,900 during the first seven days of their operations. Jackson's notation in his diary, "I've got the diggings at last", had been proved to be true.

In the meantime, John H. Gregory, who appears to have kept silent as to his prospect on the North Fork of Clear Creek and to have made no

effort to return to it, was loitering in a destitute condition among the throng assembled at Arapahoe. Toward the end of April, he struck up an acquaintance with David K. Wall, a member of a small party from South Bend, Indiana, and which had arrived at the mountains some three or four weeks before, and was encamped at Arapahoe. Gregory told Wall of the results of his prospecting on the North Fork, but without seeming to attach much significance to them. Becoming interested in Gregory and his story, and sympathizing with him, Wall, who had been a miner in California, proposed that he join the other members of the South Bend party and guide them to the locality of his discovery, and to which Gregory finally assented. Of the circumstances that led up to this agreement, Mr. Wall contributed to my *History of Denver* the following account:

"John Gregory heard of my being an old Californian, and came to see me. In our conversation he told me that he had been in the mountains and had found light prospects in which was some fine gold, in the little creek at the foot of what is now known as Black Hawk Mountain, but not in sufficient quantity to induce him to think that it would pay for the toil of looking further. From his report I was induced to believe that it would be expedient and perhaps pay to have him return and make a new search, but he was rather despondent and refused to go, giving as the most important reason that he was out of provisions and that he had been living on venison for ten days. I told him that my commissary was at a low ebb and more precious than gold, but in this case I would supply his needs in that respect if he would return and take the South Bend boys with him, and make a new search, which he finally concluded to do; more, perhaps, for the opportunity of filling his stomach than faith. The result of it was that one of the best, if not the best, gold leads that was ever discovered was done by the western eloquence that I gave him, and resulted in the early development of the mines of our great State. It was found by prospecting with a pan, and that from 50 cents to \$5 to the pan could be washed out from the decomposed quartz, clay and gravel right from the top."

The "South Bend boys", together with a few others whom they had taken into their confidence, lost no time in preparing for the expedition. Led by Gregory, the party, which consisted of eleven men, set out from Arapahoe on an early day of May, conveying their supplies and other equipment partly upon pack-horses and partly upon the front truck of a wagon, which was drawn by two yoke of oxen. They entered the mountains by a route on the northward side of the gorge of Clear Creek, and on the 6th of May arrived at the gulch in which Gregory had worked. While some of the party were making camp the others began to investigate for gold, finding at first nothing more than good "colors"; but presently the search was rewarded richly. From a shovelful of sand and silt that half-filled Gregory's mining-pan four dollars' worth of gold was washed; and from successive pannings of like material from the same spot almost equally good results were obtained. The lode from which this gold had been eroded by the elements soon was located and the surface staked off in claims, with two for the discoverer. Since that day, the Gregory Lode has given up gold to the value of several millions of dollars, and its metallic resources are yet unexhausted. In commenting upon this disclosure, the most important made in the Pike's Peak region during that year, and which revealed the presence of the yellow metal in the original position in which Nature had placed it, Hollister, in his *Mines of Colorado* (1867), says:

"The discovery of the lode called after himself, by John H. Gregory, would seem to rank among those great events whereby the race at large have profited. That in a section of broken mountains, extending the whole length and one-third

the width of the United States, a man enroute for a distant country, should have been diverted in the midst of his journey, two hundred miles to the south, should have proceeded directly to the spot—a ravine two or three miles in length—and in it and on its bordering hills have struck the heart of as rich and extensive gold, silver and copper mines as are known in the world, is indeed marvellous."

The initial revelations unnerved Gregory and caused him to behave in the manner of a half-crazy man. Through the night following the discovery he could not sleep, but passed the hours in muttering to himself about what he should do for his family back in Georgia with the great wealth which he believed he would soon possess—and which, as the event proved, he acquired in fair measure before the end of the summer. His wife should be a lady, his children educated, and all should live in comfort.

Some members of the Gregory-South Bend party now returned to Arapahoe to bring up supplies and additional equipment for mining; and also to apprise certain acquaintances of the successful outcome of their expedition into the mountains, and thus give them an opportunity to locate upon the ground before the coming of a swarm of "outsiders", which all knew must soon follow. Claims were staked by these favored ones, and a mining-district—the second in the Pike's Peak country—was organized, before the discovery was made public.

Full knowledge of what had been going on in the mountain valley of Clear Creek did not become commonly known among the multitude of waiting and anxious men then at and in the neighborhood of the foot-hills until after the middle of May. Meanwhile, however, there were vague floating rumors of a "strike" having been made somewhere, and a general impression that there was "something in the wind".

Jackson had come from his party's diggings to the Cherry Creek towns about the beginning of that month, bringing with him some two thousand dollars' worth of placer gold, which he deposited with a prominent Aurarian, with whom he arranged to have it expended in buying surplus supplies from disappointed and disgusted immigrants who were preparing to leave the scene of their brief and most unsatisfactory sojourn and return to their homes. After several such purchases with virgin dust by Jackson's agent, it became evident to those who had taken critical notice of the transactions that a new and important discovery had been made and developed. The finger of conjecture soon was pointed at Jackson, but it was not until a week or ten days had passed that his connection with the purchases was identified and that he, in response to the many appeals for information, told of what had been done at Chicago Creek. At almost the same time publicity was given at Arapahoe and in the Auraria-Denver settlement to the Gregory-South Bend party's richer discovery.

The news produced a profound and enthusiastic excitement among the thousands who had been hoping for and awaiting some such tidings, and electrified the Cherry Creek towns. Instead of the pottering in the bed of the South Platte and in the troughs of its foot-hill branches, real mines were to be worked, and which held out a promise to every man. A pell-mell race into the hills now began, each individual, each group of partners, striving to be ahead of the others, and all confident that their fortunes were about as good as made. Within a month thereafter the mountain district that is drained by Clear Creek and its tributaries literally swarmed with miners and prospectors—mostly the latter. The valleys and gulches,

which had been primitive solitudes when winter gave way to spring, now were crowded with strenuous human life. Large bodies of these men had made directly for the Gregory camp and for Chicago Creek, but as the great majority of those who flocked into these localities were too late to get possession of working-places in the near vicinity of the diggings, they were compelled by the pressure of circumstances to move on into untried places. Inasmuch, however, as scarcely one in fifty of these prospectors ever had had even rudimentary experience in mining for gold, and hardly would have recognized a gold-bearing vein had such a thing been in plain view before them, nearly all were wholly dependent on the chances of finding a placer.

Bands and companies of Pike's Peakers still were trooping into the country. Among those which arrived at Cherry Creek about the end of May was one from Georgia, with a large wagon-train laden with supplies and equipment, and numbering one hundred and seventy men. These were headed by William G. and J. Oliver Russell, who, as the reader will recall, had returned to their homes in that State in the autumn of the preceding year for the purpose of bringing out a large party and adequate supplies for thorough prospecting in the mountains. They conducted their men to the Gregory District and thence into the ravine that has ever since been known as "Russell Gulch". Here, in a locality about two miles southwest of the scene of Gregory's discovery, they opened diggings which, during that summer, were next to those of the Gregory District in obtained results. Six of the men took out seventy-six ounces of gold, valued by the miners at twenty dollars per ounce, in the first week. After the members of the Russell party had staked their claims there was still room in the gulch for many others. Before the end of June, some nine hundred miners were digging and sluicing there, and, according to Hollister's record, "producing an average weekly of \$35,000". Upward of two hundred men were delving at the same time in the adjacent "Illinois Gulch", in "Nevada Gulch", and in the district of "Missouri Flats", and were getting gold at the rate of about \$9,000 weekly.

But the Gregory District was the center of popular attention and interest. In that locality almost every claim that carried any gold was yielding enough of the metal to make the work profitable, and from many of these the values taken out ran into high figures. While the holdings of the Gregory-South Bend party continued to be coveted by thousands of the less fortunate, some of the later comers had been doing about as well as the discoverers. In the first week in June, a combination of twelve men cleaned up a thousand dollars' worth of dust in one day's work. A number of other partnership claims were producing from one hundred to four hundred and fifty dollars in gold values daily; and it was not hard to find men who were "going it alone" and adding to their wealth at an average daily rate of twenty-five dollars to each. Several claims, which had been worked by their locators but a short time, were sold before the middle of that month for large sums, and upon terms that enabled the buyers to pay all, or the major part, of the purchase-price with gold taken from the properties.

Meanwhile the diggings at Chicago Creek had been greatly extended, and other placers had been discovered in that section of the Clear Creek Valley. Upward of three hundred men were at work on and in the immediate vicinity of Chicago Creek; but, as the natural conditions in many

places were rather troublesome, the daily compensations of most of these toilers were low, ranging from three to five dollars. The more important of the newer developments on the upper reaches of Clear Creek at that time were at "Spanish Bar"—so called because it had been discovered by a small party of Mexican miners—some three miles above Chicago Creek; and at "Illinois" and "Grass Valley" bars about the same distance below the mouth of that historic stream. Between five hundred and six hundred men were working in these bars, the majority of them taking out very remunerative values; but the labor of those at Spanish Bar was made more than ordinarily difficult by the great number of large boulders in the trough of Clear Creek at that place.

Yet there were still thousands of would-be miners then in the mountain valleys of Clear Creek and its tributaries who had failed to find working-places either in the established districts or in fresh localities, and who were complaining loudly as they lingered at the diggings or wandered along the streams and over the hills. Toward the close of June, some cheering news came from Boulder Creek to this host of impatient and disappointed men. On the 13th of that month, David Horsfal, William R. Blore and M. L. McCaslin discovered another gold-bearing vein—which subsequently became locally famous as the "Horsfal Lode"—in Gold Hill, the elevation in which J. D. Scott had found a gold-seam earlier in the spring. The accounts of the Horsfal discovery, made more and more florid by every repetition, induced hundreds of the idle men on Clear Creek to scurry to the scene of the new "strike". But for most of these the conditions there were no better than those from which they had migrated.

The extent of the field on Boulder Creek in which gold had been found up to that time was small in comparison with that of Clear Creek, and had a full quota of unemployed Argonauts. The placers of Gold Run and in Deadwood Gulch were producing generously, but the entire surfaces of these localities as well as much unproved ground in their vicinity already had been cut up into claims. The disintegrated quartz of Scott's discovery and of the Horsfal Lode yielded highly profitable returns during that summer by the use of sluices. But as these really were stamp-mill propositions, which were developed later into valuable lode-mines, the practicable limits of the processes of placer work in dealing with their gold-bearing material soon were reached.

Before the end of June, the congested conditions on the upper waters of Clear Creek and on Boulder Creek had caused the thoughts of some of the drifting and waiting fortune-seekers to turn to the possibility of finding new fields of gold. Perhaps the metal existed on the western slope of the main range in quantities as great as on the eastern; and now stories about dust and nuggets having been found in the South Park country by frontiersmen in early times were in circulation. Early in July, two or three small parties passed over the Continental Divide into what is at present our Grand County, which then was a part of Utah Territory. But these came back early in the autumn without having had "luck" sufficient to induce them to remain in that section. The South Park had been entered by prospectors, of whose identity no definite knowledge has survived, late in March, and who were followed by others in April. Kit Carson, then United States Indian Agent in charge of the Ute Indians, heard of these early in May, and understood that they had discovered gold somewhere in the Park. He

believed that "if such is the case the Utahs will be dissatisfied", inasmuch as that mountain basin was "the only place in their country where game of any consequence can be found"; and he feared that if the miners and the Utes came into contact there would be trouble. In a report dated June 8th, he said that these or some other white men had killed a Ute in that section of the mountains. However, I have found no definite record of gold having been discovered there during the spring months of that year.

About the close of June, a party, in the formation of which W. J. Cur-tice appeared to have been a leader, was organized in the Gregory District to prospect the country lying in a southwesterly direction from upper Clear Creek, and with an intention to extend the exploration beyond the Continental Divide in the event of failure to find gold on the easterly side of the range. Going to Chicago Creek, these prospectors proceeded up that stream to its head, the course being south by west, and, at Mount Rosalie, crossed over the dividing ridge to the headwaters of the North Fork of the South Platte River, whence they passed on into the northern border of the South Park. Here they fell in with a small party of Wisconsin men, who appear to have entered the park by way of the South Platte Cañon. The two groups joined fortunes and moved on through the westward side of the park, prospecting as they advanced, and three days later established a camp on a branch of the South Fork of the South Platte to which they gave the name "Tarryall Creek", an appellation that it still retains. It has been understood that the creek so was named by the members of the company because all had agreed to tarry at this camping-place, which was not far from the site of the modern town of Como, long enough to make a thorough examination of the general vicinity for gold, as the surface indications in and near the bed of the stream seemed to be promising. Whether the halt was due to judgment or to chance, the outcome proved it to have been fortunate. Within a few days the party found rich deposits of placer gold in the creek's bed. In generosity born of their success, the tarriers gave to their camp the same name that they had bestowed upon the stream, thus inviting all comers to stop and take a share of the wealth they had discovered, provided it were obtained outside the lines of their claims.

Ere this time, other bands of prospectors, coming by way of the foot-hills, had entered the South Park; one of which consisted of George A. Bute and five other residents of the pioneer settlements in the locality of the present Colorado City. Most of these Argonauts, hearing of the "strike" on Tarryall Creek, soon were gathered at the camp of the discoverers. But not many days had elapsed before there was an uproar of disputation and wrangling over conflicting claims, the new men alleging that the members of the pioneer party were attempting to "grab everything", and also were of the opinion that the name of the camp therefore should be changed to "Grab-all". Toward the middle of August, after much ill feeling had been aroused, a large company of these indignant fortune-hunters left the Tarryall diggings to search for others. On the 19th of that month, they found some nearly as good in a locality on the South Fork of the South Platte, some ten or twelve miles to the southwest. Having resolved that even-handed justice should rule here, they proclaimed this determination by naming the new camp "Fairplay", and which was the beginning of the present town of that name which is now the county seat of



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Park County. It was said in after-times that the initial discovery of gold at Fairplay was made by members of Bute's party.

In the meantime, reports, in more or less exaggerated form, of what had occurred in the South Park, had spread with surprising swiftness to Clear Creek, to the Cherry Creek towns, and to other "centers of population", and started shoals of men upon the ways into the park. They trooped in from almost every direction, and by the end of August the new mining-field had a population that numbered well up into the thousands, sheltered in shacks, tents, covered wagons, and even under trees and bushes; and all ravenously hungry for a portion of what was expected to be a golden harvest for everyone.

The district now became the theater of great excitement and activity, and three "cities", all of which bade fair at the time to become permanent municipalities, sprang up with the rapidity of mushroom-growth. The bowl-like topography of the park had suggested and given rise to a belief that the basin must be a reservoir of gold, and therefore that the metal could be found at easy depths in every part of its area. Early in the autumn, Camp Tarryall became "Tarryall City"; and on the north branch of the creek, at a point about ten miles to the northeast of Tarryall, and near the southerly entrance into the Georgia Pass across the Continental Divide to the headwaters of the Blue River, "Jefferson City" came into being. This ambitious metropolis appears to have been so named in honor of the then expected "State of Jefferson", the political movement for the organization of which and for its immediate admission into the Union already was under way in the Pike's Peak country. Meanwhile, Camp Fairplay had been transformed into a "city", and was claiming superiority to the others. While each of these pioneer towns in the South Park attained a population approximating 2,000 in the heyday of surface-mining there, and continued to figure upon maps for some years afterward, Fairplay is the only one that has survived the mutations of Time. However, a reminiscence of Jefferson City is retained in the name of a side-track station on the South Park division of the Colorado & Southern Railway.

The South Park placers yielded gold during the discovery year almost as liberally as the diggings on the North Fork of Clear Creek. At Tarryall, in one week, five or six men working in partnership, were rewarded with values amounting to nine hundred and eighty-nine dollars; another small group, in the same length of time, washed out the equivalent of six hundred and eighty-six dollars; and another, four hundred and twenty dollars. Results in other places, while not running so high as these, were eminently satisfactory to the owners of the claims. Yet, to the large majority of "those present", it was the Clear Creek and Boulder Creek experience over again: while some were doing well and others still better, the many were doing little or nothing. For every profitable claim that was being worked there were probably fifty in which men were toiling "without making their salt". It was so in California ten years before, and has been so in all other gold-fields—few were chosen and many were left.

The gold-hunters who went from the Clear Creek field into the territory that forms our Grand County were not the only prospectors who extended the search for the metal beyond the summit of the Continental Divide in the summer of 1859. Late in July, a company of about one hundred men left the South Park and passed over the range, by way of the

Georgia Pass, to the headwaters of Swan River, a tributary of the Blue River, which drains nearly the entire area of our Summit County, which then was within the bounds of the Territory of Utah. But about one-half of the party's members, fearing trouble with the Ute Indians, immediately returned to the South Park diggings no heavier of pocket than before. At the time of their outgoing, they heard rumors that bands of hostile Utes were prowling upon the west slope of the mountains and recently had killed some isolated prospectors who had ventured into that part of the Ute domain. However, those who stayed on the Swan River soon discovered some good placers on that stream, where mining districts, to which were given the names "French", "Gibson", "Corkscrew", and "Negro", were organized shortly afterward. These were worked profitably for several years, and were responsible for the town of Parkville, which ceased to flourish long ago.

About the beginning of August, a party of some thirty men, a few of whom had mined in California, was formed in Auraria City to prospect upon the western slope. Going southward along the foot-hills to the site of Colorado City, they entered the South Park by way of the Ute Pass. For reasons now unknown, the party divided into two groups, one of which here disappears from the story. The other, numbering fourteen, proceeded to the Fairplay diggings, and thence followed the South Fork of the South Platte to the base of the peak now known as Mount Lincoln, where they crossed the Divide to the head of the Blue River. Descending the valley of that stream, they found, on August 10th, a promising locality just below the site of the present town of Breckenridge. Here, in a bar in the river, they discovered placer gold on the day of their arrival, and in quantities that convinced them they were upon good ground. Within a week they developed highly profitable diggings, news of which soon reached the South Park camps and towns, the Clear Creek country, and the communities in the lowlands, and started hundreds upon forced marches to the "Blue River Gold-field", into which probably two thousand men migrated during that autumn. Among these were some, who had been on upper Clear Creek, and successively on Boulder Creek and at the South Park diggings—and still were empty-handed. The town of Breckenridge, now the county seat of Summit Country, was founded, late in the spring of the next year, and continues to be the center of an active gold-producing district.

The dwellers in the Pike's Peak towns had had no trouble with Indians, and the miners and prospectors in the mountains had had much less than some experienced men had anticipated, notwithstanding that most of these gold-hunters were indifferent to or reckless of danger from the Utes. Furthermore, it may be remarked here, the thousands who traversed the various routes to Pike's Peak in that year, and the thousands who became "gobacks", had but few serious difficulties with the red men. The Arapahoes and the Cheyennes were friendly, and regarded the presence of the white men on and at the base of the eastern slope of the mountains as a protection to them against their hereditary enemies, the Utes. For such reasons as those mentioned by Kit Carson, the latter strongly were disposed to resent and resist with arms the advance of the miners toward and into their territory, the main part of which lay beyond the summit of the mountains. Early in June, a small band of these Indians, skulking in the hills on the south side of Clear Creek, a few miles from the site of the city of Golden,

shot and killed a lone prospector named Banker, and with his belongings escaped over the range. During that summer, several other solitary gold-hunters were reported to have been slain in the Clear Creek section by Utes. On the 26th of June, J. L. Shank, J. L. Kennedy, and William M. Slaughter—the latter a prominent pioneer citizen of Auraria-Denver—who were prospecting in a gulch near the southerly base of Mount Evans and within the South Park watershed, were fired upon by a party of Utes lurking in ambush. Kennedy was killed instantly and Shank mortally wounded, but Slaughter escaped unhurt. Concerning a later and more serious tragedy, farther into the Southwest, the *Rocky Mountain News*, in its issue of September 3d, contained the following:

"On Thursday evening last, we received a call from Messrs. William Taylor, Daniel Kelly, and Amos and Norman Reid, who have just returned from the South Park. They told us a tale that filled us with horror and dismay. On the 25th ult., when about two hundred miles southwest of this point [Auraria-Denver], they came up to the bodies of six white men and one red man—all stripped and scalped. They also found the carcasses of eight animals—five horses and three mules—in the immediate vicinity of the spot on which the mutilated human bodies were stretched. From all appearances, the finders were led to believe that the victims of the Utah ferocity had been members of a large company, that the Indian belonged to a friendly tribe and acted as the guide of the former. . . ."

It is probable that the distance from Auraria-Denver of the scene of this tragic affair was overestimated, and that the place in which the bodies were found was the ravine in Gunnison County that long has been and still is known as "Dead-men's Gulch", which opens upon the Taylor River. It was reported about that time that two parties of prospectors in the western border of the South Park had been attacked by Utes with fatal results to several of the white men, but the names of the victims as well as other particulars of the encounters appear to have remained unknown.

However, all the Indians of the plains and of the mountains in combination could not now have turned the course of events in the Land of Pike's Peak and rescued it from the clutches of the invaders. The country had been proved to be a gold region.

CHAPTER XIII.

EFFECT OF MINING DEVELOPMENTS UPON THE LOWLAND TOWNS.—FEVERISH ANIMATION IN THE CHERRY CREEK "CITIES".—RIVALRY BETWEEN THEM.—FOUNDING OF HIGHLAND CITY.—BEGINNING OF REGULAR COMMUNICATIONS FROM AND TO THE MISSOURI RIVER.—LEAVENWORTH & PIKE'S PEAK STAGE AND EXPRESS COMPANY.—INFLUENCE OF THE STAGE LINE UPON AURARIA-DENVER.—ACTIVITY IN BOULDER CITY.—LOSS OF POPULATION BY COLONA, EL PASO, EL DORADO, AND FOUNTAIN "CITIES".—RISE OF "CITIES" AND TOWNS AT THE MOUNTAIN DIGGINGS.—MOUNTAIN CITY AND ITS NEWSPAPER.—BEGINNINGS OF NEVADA, IDAHO SPRINGS, AND GEORGETOWN.—ASPIRING MISSOURI CITY.—NEW TOWNS IN THE LOWLAND.—"SHIANN PASS TOWN COMPANY".—ROCKY MOUNTAIN CITY.—FOUNDING OF GOLDEN CITY.—ITS NEWSPAPER.—DECLINE OF ARAPAHOE CITY.—BIRTH OF COLORADO CITY.—AMBITIONS OF ITS FOUNDERS.—INCEPTION OF CAÑON CITY.—TOWNS OF GOLDEN GATE, MOUNT VERNON, PIEDMONT, HUNTSVILLE, AND BRADFORD.—PRIMITIVE HIGHWAYS TO THE MOUNTAIN MINING DISTRICTS.—LOCATION AND IMPROVEMENT OF PUBLIC ROADS.—ORGANIZATION OF ROAD COMPANIES AND CONSTRUCTION OF TOLL-ROADS.—CHARACTER OF THE THOROUGHFARES.—DROUTHY CONDITIONS IN THE MINING DISTRICTS.—PIONEER ENGINEERING WORKS FOR SUPPLYING WATER.—CONSOLIDATED AND NEVADA DITCHES.—DITCH-MAKING IN THE VICINITY OF AURARIA-DENVER.—MINERS' EXPEDIENTS FOR CONVEYING WATER TO THEIR CLAIMS.—INTRODUCTION OF ARASTRAS AND STAMP-MILLS ON THE NORTH FORK OF CLEAR CREEK.—PRODUCTION OF GOLD IN 1859.—REGIRA OF MEN WHO HAD FAILED.—FAMILY LIFE IN THE SETTLEMENTS.—BIRTHS OF CHILDREN.—FIRST WEDDING AND FIRST SECULAR SCHOOL.—WINTER OF 1859-60.—LABOR AND COMMUNICATIONS INFREQUENTLY INTERRUPTED.—PROSPECTS FOR A PROSPEROUS NEW YEAR.

The activities in the Pike's Peak country late in the spring and through the summer and autumn of 1859 were not confined to the operations of the prospectors and miners in the mountains. The developments and progress that had been made in mining, and which all the far-sighted accepted as covenanting a permanent and prosperous future for the region, had imparted fresh vigor to some of the settlements which had been founded in the previous autumn and winter, and also gave birth to other ambitious "cities" in the new Land of Promise.

The pair of towns at the mouth of Cherry Creek were thrown into a state of feverish animation, and until past midsummer daily received accessions to their population—business men with trains of "prairie schooners" laden with merchandise, workmen of the building and other trades, professional men, adventurers, and a plenty of human parasites hungry for prey. Beside these, bands and larger companies of other immigrants were coming in day by day upon all the routes of travel hither and excited by the news they had heard when in the later stages of their journey; and who, after making a brief halt, chiefly for the purpose of learning the directions to be taken, passed across the river upon their way to the diggings in the mountains. The streets of the towns were thronged with men whose thoughts and speech were centered on the absorbing golden theme.

But amid the hubbub and confusion that reigned in these towns rose the sounds made by the saws, the hatchets, and the trowels of the builders of dwellings and of structures for business and various other purposes. Brickmakers and lime-burners were at work, and sawmills were supplying lumber. Log-cabins that had been erected in the days of uncertainty and waiting now were being removed in order that their sites might be occupied by more pretentious edifices; and politicians already were engaged busily in log-rolling of another kind. At the time when Auraria City and Denver City were founded the South Platte River and its tributaries, in the vicinity of the mouth of Cherry Creek, were fringed with rather a heavy growth of cottonwood and willow trees, while the foot-hills and the lower parts of the mountain-slopes within view from the towns were dressed with pines, spruces, balsam-firs, and some aspens. Requirements for cabin-building and for fuel had made great inroads upon the timber near the twin communities before the coming of midspring; and now it was necessary to go to the foot-hills or about an equal distance up the river to obtain good raw material for the sawmills.

Rivalry between the two "cities", which had been sharp from the beginning, in the meantime had become acrimonious. The managers of Denver City who were more aggressive and less scrupulous than those of Auraria, had not only intercepted many of the mercantile outfits that had come to Cherry Creek with the spring and summer multitude of Pike's Peakers and persuaded the owners of these to locate in their town, but had enticed or otherwise induced some of Auraria's business to do the same thing. However, Auraria City still was much in advance of Denver in population, in the number of her business enterprises, and in that of her completed "improvements"—having at midsummer upward of two hundred and fifty buildings, while those of her rival counted no more than one hundred and fifty. Moreover, she possessed the only newspaper published in the Pike's Peak country at that time. But in the progress that Denver City was making an early submergence of Auraria was foreshadowed. By the middle of July, the more or less stable population of the two towns probably was near twelve hundred in number; but the daily comers and goers, many of whom were from the mining-districts, were not far from being equally numerous.

Two citizens of Auraria had established, late in April, a flat-boat ferry at the foot of what is now Denver's Eleventh Street to enable travel to and from the foot-hills to cross the river easily, and also for their own pecuniary benefit; the South Platte then being much more river-like than it is in our times. The boat was operated by means of a contrivance of ropes and pulleys. A heavy rope was stretched across the stream and made fast at each end to a convenient tree, and from each end of the boat a lighter cord was attached to a pulley that traveled upon the cable. By lengthening the reach of one of these connecting ropes and shortening that of the other the boat would be set at such an angle that the current impacting against its up-stream side would propel it from one bank to the other. So the ferry-men's running expenses were light and their profits heavy, as their usual charge for the transfer of a wagon and team was one dollar, and for a pedestrian twenty-five cents. About the middle of June, other Aurarians completed a toll trestle-bridge over the Platte, and which presently put the ferry-boat out of business. As these river-crossing facilities gave Auraria

a great advantage, especially after the discoveries of gold in the mountains, the Denver City men now hastened to find ways and means for building a free bridge at the foot of the present Fifteenth Street. But the autumn was far gone before the structure was finished and opened for travel.

However, the Denverians were "pointing with pride" to their "hotel", the "Denver House", a large building of logs which Blake & Williams had erected in the spring on the northward side of Blake Street, between the streets now known as Fifteenth and Sixteenth; and also were boasting because their "city" had been made the western terminus of a line of stage-coaches from the Missouri River. Municipal affairs in both towns continued to be controlled and directed in the main by the executive officers of the Town Companies, who were "donating" town lots to worthy individuals and to promoters of enterprises that promised to be of public benefit who would enter into an agreement to erect buildings upon the lots within a reasonable length of time. Before the end of that summer, gold-dust had become a common money-medium in the two communities, payments in it being made by weight in ounces and fractions of the ounce.

Not content with two "cities" at the mouth of Cherry Creek, a party which consisted mostly of Auraria men, among whom were William N. Byers, Dr. L. J. Russell, Henry Allen, W. D. McLain, and William M. Slaughter, organized the "Highland Town Company" about the end of May for the purpose of establishing a town on the opposite side of the South Platte. The company took possession of a large area of the section of the present city of Denver that is commonly called "North Denver" and duly platted the greater portion of the staked-out site. But as no considerable volume of enthusiasm could be worked up in favor of that side of the river, although it was in many respects the better town site in the vicinity of the mouth of historic Cherry Creek, the project languished and but little was accomplished by the company. In after-years all but a small part of the pioneer Highland survey was obliterated and replatted on different lines under other auspices.

Details of the Auraria and Denver surveys having been completed, a fine map which embraced the sites of the three towns was published in the autumn of 1859. The areas of the trio were adequate to a population of nearly one hundred thousand people; but contrary to the general and generous practice of western town-founders and "town-boomers" in that period, the promoters of these "cities" had made no provision for "parks", for "fountains", for "public squares", for "lakes", or for "reservations for schools and other public buildings". The pioneer surveys of Auraria-Denver survive in a portion of that part of the present city in which the courses of the streets are diagonal to the cardinal points of the compass: a plan which, in later times, was continued northeasterly over a triangular area the apex of which adjoins the Elyria district.

Next to the discovery of gold in the mountains, the event of greatest moment to the Cherry Creek towns that occurred before midsummer of that year, and which was one of large importance to all the people of the new mining-region, was the inauguration of regular communications between these "cities" and the Missouri River. The wide-spread interest in the golden stories that were in circulation among the people along the Missouri border and in the States in the winter of 1858-59 relative to the "gold-diggings" which then were said to have been developed "at Pike's Peak",

had convinced the firms of Jones & Cartright and Russell, Majors & Waddell, which for long had been engaged in freighting upon the plains, that there would be a great movement of people to the reputed new gold-fields during the coming spring and summer, and also that there would be a permanent settlement of the country should the alleged mines prove profitable. Therefore the two firms contributed from their resources and joined in organizing the "Leavenworth & Pike's Peak Stage and Express Company", for the transportation of passengers, mail, and the more valuable of light freight. About \$250,000 were invested in equipment for the line, and which was by far the largest sum that yet had been "staked" upon the future of the Pike's Peak "gold-fields" by any individual or organization. The first trip by the company's coaches was begun on April 19th, when two of the vehicles left Leavenworth, Kansas, for the mouth of Cherry Creek, where they arrived on May 7th, after a journey of six hundred and eighty-seven miles, by odometer measurement. More than half the time of the nineteen days had been given to bridge-building and other work on the route by the construction crew which accompanied the coaches. After the organization became well adjusted to the service, the run usually was made each way in several hours less than seven days; but in the summer of the next year the time was reduced to about six days. Until the United States Postal Department established regular mail facilities to Denver City, in August of the next year, the stage company carried mail matter both ways as a part of its express business, charging twenty-five cents for each letter.

The first coach that left the Cherry Creek towns reached Leavenworth on May 21st, and delivered there a shipment of Pike's Peak gold-dust valued at \$3,500, which circumstances caused the event to be celebrated in that town with music and grandiose speeches.

In the beginning, the route of the coaches was westward from Leavenworth to Junction City, Kansas; thence northwestward into the northern border of that Territory; thence westward into what is now our Yuma County and on in the same direction to the destination. But about the middle of June this course was abandoned in favor of the old trails along the Platte and South Platte rivers, the coaches taking a northwesterly route from Leavenworth to the Platte.

Possession of the western terminus of the only line of regular communications with the East in that year confirmed Auraria-Denver as the commercial and financial metropolis of the Pike's Peak region. But to the great disappointment and grief of the Aurarians the stage company had set up its headquarters in Denver City.

The Boulder settlement, although hampered by the unwise action of its Town Company in placing extravagantly high prices on town lots set aside for sale to newcomers, was making fair headway, and now proudly figured as "Boulder City"; and, together with the mining-field in the hills behind it, was receiving a quota of the tardy incoming seekers of fortune. The Boulder Creek mining-district had been extended, but not with results relatively so satisfactory as those that were being obtained on upper Clear Creek and in the South Park. The greater part of the gold-bearing resources of the Boulder district was in the form of very stubborn quartz, from which the miners could not extract the metal with the means then at hand. Nevertheless, builders were active in the town, which now contained several mercantile establishments, and some of its people were demonstrating

the agricultural value of the lowland in the town's vicinity. By autumn, Boulder had about seventy-five buildings, all of logs, and a resident population of some three hundred. The "city" had not yet flung away its ambition to become the Pike's Peak metropolis.

While the golden revelations in the hills had invigorated Auraria-Denver and Boulder, their effect upon some of the Pike's Peak "cities" that had come into being before the spring of 1859 was next to disastrous. Although some placer diggings had been developed on the Cache a la Poudre River, in and near the foot-hills from which it enters upon the plains, a large part of the population of Colona, on that stream, had abandoned the town and made off to the upper Clear Creek and South Park mining-fields. El Paso, in the Colorado City locality, suffered even a heavier drain, as the discoveries in the South Park caused so many of its citizens to migrate to the diggings in that basin that the place became almost deserted within two or three weeks; and which also was the case of its near neighbor, El Dorado City. Fountain City, at the mouth of the Fontaine qui Bouille, lost some of its resident inhabitants; but, owing to the agricultural and commercial tendencies of a majority of the dwellers there, its depletion was nowhere near so serious as that of the settlements near the head of that stream. However, a census of these "cities" taken at any previous time would not have indicated overcrowded conditions of life within their precincts.

The discoveries of gold on upper Clear Creek were, of course, followed promptly by the rise of "cities" and towns at or adjacent to the diggings. The earliest of these, "Mountain City", a spontaneous product of the pioneer discovery on the North Fork, sprang up near the locality of the Gregory Mining-district. Work upon its first building—Richard Sopris' cabin—was begun on May 22d. Other structures followed in such numbers that it was said with truth before the 4th of July that "Mountain City now contains over two hundred dwellings, where six weeks ago there was not one". Here, on August 6th, Thomas Gibson, who had sold his interest in the *Rocky Mountain News*, issued the first edition of the weekly *Rocky Mountain Gold Reporter and Mountain City Herald*. This newspaper, a small sheet of four pages, was printed in George Aux's log-cabin with the outfit Gibson had obtained from John L. Merriek in the previous April, and with which the latter had produced the first and only edition of the *Cherry Creek Pioneer*. Gibson continued the publication of the *Reporter*, which, counting the *Pioneer* as the second, was the third newspaper to be produced in the Pike's Peak country, until the last week of October, when it was suspended. The mechanical equipment then was sold to one of the founders of Golden City, where, as presently shall appear, it was soon put into use for printing another Rocky Mountain newspaper. Mountain City flourished for a year or two and then was absorbed by "Central City", the present county seat of Gilpin County, and which was founded in 1861.

Nevada, in the lower part of Nevada Gulch and some two miles to the westward of the site of Central City, began its career before mid-summer of 1859, and soon became a bustling combination of mining-camp and business-town. It still continues to be the center of an active mining-district.

The foundations of Idaho Springs and Georgetown also were laid during that busy summer. The site of the former became the dwelling-place of a number of the miners who were working at and in the vicinity

of the mouth of Chicago Creek, and ere the end of the year the settlement had taken on more of the character of a permanent town than of that of a mining-camp. In pioneer times it was known only as "Idaho", the addition of "Springs" to its name having come to pass in after years. About the 1st of August, George F. and D. T. Griffith, who were brothers, discovered "a rich gold-lead high up on the mountain-side" thirteen miles farther up Clear Creek. Within a week thereafter the locality was swarming with other prospectors, and within a month thereafter two towns, Elizabethtown and Georgetown, the latter so named in honor of George Griffith, were laid out, about a half mile apart, in the bottom of the narrow valley. The two municipalities remained rivals until 1867, when Georgetown absorbed the other.

In the autumn of 1859, a town was platted upon the divide between Illinois and Spring gulches, a short distance southwest of the site of Central City, and to which was given the high-sounding name of "Missouri City". Some of its promoters petitioned the Leavenworth & Pike's Peak Stage and Express Company to make Missouri City the western headquarters and terminus of its stage line from the Missouri River, declaring that the town was destined to become the metropolis of the Pike's Peak region. However, it failed to make good these predictions and did not long survive the advent of Central City.

It is a curious fact that the mining-districts on the upper waters of Boulder Creek continued without a settlement or town of sufficient importance to have left a record or to have appeared upon the annual maps of Colorado Territory made by the Territory's Surveyor-General before the year 1864. In the summer of that year a town was laid out upon a large plan at the mouth of the cañon of Left Hand Creek, about eight miles north of Boulder City, and named "Altona". It was expected to become a place of importance and a rival of Boulder, but it appears never to have advanced beyond the stage of a platted town-site.

One of the many and various results of the discoveries and developments in the mountains was a mania for organizing town companies to locate and exploit "cities" along the eastern base of the ranges. The period from the 1st of June to the end of that year was prolific of such enterprises, for some of which there were good reasons, while for some others reasons were hard to see. There was a striking example of the latter in the futile "Shiann Pass Town Company", consisting mostly of Auraria and Denver men, which was organized on June 5th to establish a town in the Cheyenne Pass through the Laramie Mountains, at a point some twenty miles southeast of the present town of Laramie, Wyoming. The Company platted about a section of land and industriously proclaimed it as the site of one of the future great cities of the Far West.

At the end of the spring of that year, Arapahoe City, on Clear Creek, near the foot-hills, was regarded by many persons as a promising settlement. It now had a town-company organization, and fifty or sixty cabins had been erected upon its site. While placer mining in the banks and bed of the creek in the neighborhood of the town did not yield large returns, the results were sufficient to encourage some of the claim-owners to continue the work throughout that year and into the next. But these diggings practically were abandoned before the close of 1860; and which also was the case with those on Ralston and Cherry creeks, and in the main with those

along the Platte River in the vicinity of Auraria-Denver. As we shall see presently, the same fate befell Arapahoe City about the same time.

In the fore part of June, a town-site was staked out in the lower section of a gulch, the mouth of which lies some three miles above the present town of Golden, and given the pretentious name of "Rocky Mountain City", which was "expected to have a large trading post at no distant day". This "city" was "so located that the road to Gregory Diggings must pass through its center"; that is, it was directly upon the preferable way to the mining-camps on the North Fork of Clear Creek. But the town never became much larger than its ostentatious appellation. At the end of the following August, it was but little more than the name of a place "where a grocery in a tent and two or three covered wagons were all that was to be found to denote a city". It lost these shortly afterward and then was abandoned.

Before the middle of June, a part of the assemblage of Pike's Peakers on Clear Creek at and in the neighborhood of Arapahoe City had occupied the site of Golden, where some of them were engaged in rather unprofitable placer mining, and also where J. M. Ferrell had built, a few weeks before, a toll-bridge across the creek on one of the routes to the gold-diggings in the mountains. The beauty of the place and its strategic situation with relation to the mining-districts on upper Clear Creek soon suggested the expediency of founding a "city" upon that ground. The leaders of action on the proposition were the members of the "Boston Company", a party of eight men from the city of Boston, and who had arrived at the locality on June 12th. These and several others held a meeting on June 16th, at which they took preliminary steps toward forming the "Golden Town Company", the organization of which was completed on the 20th, with George West, one of the Bostonians, as President. The company numbered fifteen members, prominent among whom, besides the President, were W. A. H. Loveland, J. M. Ferrell, E. L. Berthoud, David K. Wall, A. F. Garrison, William Davidson, and J. C. Kirby. A tract of land containing 1,280 acres, the greater part of which lay on the south side of the creek, was appropriated for the town site. One-fourth of this area was surveyed into streets, blocks and lots during that summer, the platting of the remainder being deferred until the next year. Construction of buildings progressed rapidly, the material for most of them coming from a sawmill that had been set up in the adjacent pine groves. It has been the common understanding that Golden City was named for Thomas Golden, the erstwhile associate of George A. Jackson; but it now appears that this is an error, and that the town was so named in recognition of the demonstrated golden character of the Land of Pike's Peak.

It was surmised at Auraria-Denver in that summer that Golden City "will perhaps prove a rival to its neighbor, Rocky Mountain City, being so nearly approximate to each other". But the new town grew at such a rate that at the close of 1859 its citizens claimed for it a population of more than 700. On December 7th, George West, using the equipment with which Thomas Gibson had published the short-lived *Rocky Mountain Gold Reporter* at Mountain City, issued at Golden City the first edition of the *Western Mountaineer*—the fourth newspaper printed in the Pike's Peak settlements. The rise and prosperity of Golden caused the decline and fall of Arapahoe City. A considerable number of the latter's people removed their buildings, which, in the main, were of logs, to the newer and more

vigorous town before the coming of the next winter, while many of the rest sought other places in which to exercise their energies. These desertions continued until, by the close of 1860, Arapahoe had dwindled to a few cabins and the arable parts of its site had been taken for agriculture. In later times, Golden City became a competitor of united Auraria and Denver, and for several years gravely menaced the supremacy of the city at the mouth of Cherry Creek.

Another ambitious municipal enterprise that was undertaken before the end of the summer of 1859 was the founding of Colorado City, for which the later developments in mining during that season and the consequent economic situation had seemed to imply a positive demand. Boulder City was at the gateway to the gold-diggings on the upper waters of Boulder Creek; Auraria-Denver occupied what was believed to be a commanding position with respect to the mining-districts on upper Clear Creek; and now it appeared that there should be a "city" at the "natural" gateway—the Ute Pass—to the gold-fields in the South Park and on the headwaters of the Blue River. A large number of the late comers to Pike's Peak in that season who had traveled the Arkansas River trails had proceeded directly to these diggings by way of that pass. The founders of El Paso City had failed to make the best use of the opportunities they had had to establish a metropolis at this portal, and now they had virtually abandoned the place, nearly all of them being engaged in mining or prospecting in the South Park and the Blue River country. One of the founders of Colorado City, in an account of its origin and of its progress in the meantime, published in the *Rocky Mountain News* at the end of the following winter, says:

"On the first day of August, immediately following the receipt of authentic information that rich and extensive gold-fields had been found in the South Park, and upon the Blue River, the only easy and natural access to which was by the old Ute trail, passing into the mountains at the foot of Pike's Peak, at the famous Boiling Springs, a body of gentlemen, comprising some of the leading business men of the country, associated themselves together, and entered upon possession of a site lying near the old town site of El Paso, some two miles, however, nearer the mountains. It was decided to establish a town and designate it by the title of Colorado City, the recently discovered mines [evidently meaning those on the Blue River] being, as was then supposed, on the Colorado River."

More than two-thirds of the members of this "body of gentlemen" were citizens of Auraria-Denver, where their organization, the "Colorado Town Company", was formed; and among them were E. P. Stout, R. E. Whitsitt, Lewis N. Tappan, L. J. Winchester, S. W. Wagoner, Charles H. Blake, H. M. Fosdick (a surveyor), W. P. McClure, and D. A. Cheever, who were prominent Pike's Peak pioneers. L. J. Winchester was elected President of the Company, and Lewis N. Tappan Secretary. According to a document dated August 13, 1859, and which is the subject of the first entry in El Paso County's real estate records, the Colorado Town Company on that day formally laid claim to and took possession of a tract of land two miles in length by one mile in width, containing 1,280 acres, lying along the Fontaine qui Bouille from the locality of the "Gypsum Bluffs" above the mouth of Camp Creek and extending toward the mouth of Monument Creek. Provisions were made for recognizing and protecting the rights of those of the El Paso pioneers who should assert valid interests in the appropriated tract.

But the enthusiasm of the Colorado Town Company was chilled when, a few weeks later, hundreds of disappointed men began streaming out of the South Park and other hundreds were coming from the diggings on the Blue River, angrily berating everything and everybody in the country and profanely announcing their intention to leave it forever. "Under such a condition of affairs", says the writer from whom I have quoted above, "the embryo city still was only a conception". But he goes on to say that "by the 15th of October the stampede had ceased", and adds that "at this date there were but two houses in Colorado [City], only one of which was occupied". Unless the reminiscences of El Paso City pioneers are to be rejected, the statement that there were but two cabins on the site at that time does not represent the facts.

However, the "condition of affairs" now changed quickly and greatly for the better. Miners were coming from the South Fork of the South Platte and from the Blue River with substantial evidence of the reality of the diggings on those streams, some intending to pass the approaching winter in the lowland "cities", while others were bent upon a visit to their home people in the States. "From the middle of October to the 1st of January", says my authority, "applicants were daily pouring in, and receiving donations [of lots] for building, until 255 houses were under contract". During the weeks of darkness, the town site had been platted on generous lines by Surveyor Fosdick; and early in November the company displayed the combined results of his labor and imagination upon a handsomely lithographed map of a beautiful city of far-stretching distances and great promise. The town's prospects had become so encouraging before the end of October that Secretary Tappan ventured to give public notice, on the 27th of that month, to its delinquent shareholders to pay their assessments immediately, else their stock would be sold and the proceeds applied to the liquidation of these charges. He also reminded all shareholders that the company's constitution required them to erect buildings upon their allotments prior to November 1st, of that year.

Notwithstanding its favorable situation, Colorado City did not fulfill the expectations of its founders. A fair and fairly direct road was established before the following summer between Auraria-Denver and the mining-districts in the South Park and on the Blue River; while nearly all regular communications with the States continued for some years to be by way of the municipality at the mouth of Cherry Creek. Moreover, the depredations of the plains Indians at various times in the next decade frequently made the Arkansas River trails a more dangerous course to the mountains than that along the Platte and South Platte rivers, and therefore much travel that might have been helpful to Colorado City was diverted to the northern route during that period.

About the middle of October (1859), a party consisting of Josiah F. Smith and his brother Stephen, William Kroenig, Charles D. Peck, Robert Bercaw, and William H. Young, residents of Fountain City, influenced by the results of the gold discoveries in the South Park, went up the Arkansas to the locality just below the mouth of that river's great gorge and there platted a new town, to which they gave the name "Cañon City". They built a log-cabin upon one of the lots, and which was the only structural "improvement" they made upon their town site. Robert Middleton and his wife, who, as the reader may recall, were members of the Lawrence company

of Pike's Peak Argonauts of the preceding year, went from Fountain City and lived in the Cañon City cabin through the following winter, thus becoming the first of our pioneers who dwelt upon that ground. In the spring of the next year, a new and larger organization, composed mainly of Auraria-Denver men, took possession of the site and of sufficient additional land to form a tract containing a total of 1,280 acres, upon which, ignoring the previous platting, but retaining the town-name, the present Cañon City was laid out by these promoters.

Founders of "cities" at the foot-hills within sight of Auraria-Denver persisted in their activities through the last half of the year 1859. About the middle of July, the "Golden Gate Town Company" was formed by Thomas L. Golden, J. S. Rogers, Charles Fletcher, H. S. Hawley, and W. G. Preston, who had selected for their purpose 640 acres of land lying about two miles north of Golden City, and hidden from the plains by the northward extension of the mesa-like elevation known as "Table Mountain". Here they platted a town, upon which they bestowed the name "Golden Gate", because it was situated near the point where the easier route from Auraria-Denver to the diggings on the North Fork of Clear Creek entered the mountains. By the 1st of September, Golden Gate, which was a close neighbor of Rocky Mountain City, "already has eight or ten houses". The town became rather a promising place, and for a while made great pretensions as a rival of Golden City; but after a few years of prosperity it fell into decadence, which finally resulted in its obliteration.

At the end of October, "Mount Vernon", another come-and-go "city" of promise, was laid out upon a site about five miles to the southward of Golden, "where the new road from Denver to the Colorado leaves the plain, twelve miles west [southwest] of the city of Auraria", and also where the better road to the diggings at and in the vicinity of Chicago Creek passed into the hills. Mount Vernon thrived in a small way for several summers, but many have passed since it disappeared from maps of Colorado.

A little group of cabins built in the autumn of that year in a locality about three miles to the northward of the mouth of Platte Cañon formed the hamlet of "Piedmont". A few weeks later, "Huntsville", which was "half-way between Denver and Colorado City, on the Plum Creek Road", was described as "flourishing settlement". Nearer the end of the year, "Bradford City" arose upon a site at the foot of the mountains and about sixteen miles southwest of the mouth of Cherry Creek. I have been unable to find any record of town-company organizations for founding these three villages, none of which, however, outlived the pioneer period. Town-names were given in that year to several places in the lowland where one or two cabins had been built, and also to some insignificant mining-camps in the mountains. Most of these served as capitals of election precincts in the political proceedings that resulted in the organization of "Jefferson Territory", but none became a permanent town.

When gold was discovered in the mountain valleys of Boulder and Clear Creeks and in the South Park, these districts, in which primeval conditions prevailed, were destitute of wagon-trails; and it is probable that no wheeled vehicle had tracked any part of them since Frémont passed through the South Park when upon his return from California in 1844, as the fur-gatherers who entered them in the times of the trading posts used pack-horses when they had more to carry than they could bear upon their

backs. The route to the diggings on Boulder Creek was troublesome for wheeled transportation, but there was a measure of compensation for this in the shortness of the distance to be traversed. The Ute Pass into the South Park was a way rather than a worn path, but it afforded a passage for wagons that was easy in comparison with the great difficulties presented by the courses to the mining-camps on upper Clear Creek.

Some changes for the betterment of the latter were made during the first two months of mountain-mining on that stream, as the teamsters who traveled them were compelled by necessity to remedy the worse of the many perplexing places. But before the end of that summer, after several routes had been surveyed, two roads were established and improved from Auraria-Denver to the Clear Creek diggings. The course of one of these was by way of Golden Gate, Rocky Mountain City and the gulch in which the latter was situated to the towns and camps on the North Fork of Clear Creek; and that of the other was through Mount Vernon and over the hills on the southward side of the Clear Creek gorge to the diggings at and in the neighborhood of the mouth of Chicago Creek. These soon were made fairly decent mountain highways, which greatly facilitated communications with the Clear Creek mining-districts and the transportation of provisions and other supplies to them.

In the meantime, the old trail through the Ute Pass had been converted into a good road, which, for some months, was a part of the principal route to the South Park diggings, and was used by much of the Auraria-Denver travel to and from them, by way of Colorado City. The ancient Fort Laramie Trail was a well-worn track from the Cherry Creek towns southward to the Arkansas River, and passed but a few miles east of Colorado City; while the "Plum Creek Road", that followed closely the course upon which the Denver division of the Denver & Rio Grande Railway lies, afforded a shorter but not so easy a way in the same direction. Another southern wagon-road into the South Park came into use before the autumn of that year, and was traveled by some of the belated Fifty-niners, who hoped to reach the diggings in time to gather up a fortune below the snow began to fly. This was an extension of the old trail along the north bank of the Arkansas, diverging from the river at the site of Cañon City and coursing westerly up-hill and down-dale to the Salt, or Buffalo, Spring, and thence northerly to Tarryall. The original founders of Cañon City staked the road with mile-posts, numbered with large figures in red, from their town site to Tarryall, a distance of some eighty miles.

Pursuant to the ambition of the founders of Boulder City to have theirs become "the leading town of the Pike's Peak gold-region", an attempt was made early in that autumn to open a wagon-road between it and the Gregory Diggings upon as direct a course as possible. The leader in this enterprise was H. C. Norton, under whose direction the South Platte already had been bridged at the site of Fort St. Vrain and a wagon-road thence to Boulder City located and given some improvements. But after considerable work had been done upon the attempted extension of this highway to the Gregory District the project was abandoned. "Though the settlers subscribed all they were able to give, it proved too great an undertaking for their means."

In that autumn several groups of our pioneers formed corporate associations to establish wagon-roads as business ventures. The "Denver, Auraria & Colorado Wagon Road Company" was organized by Joseph Casto, Horner

Fellows, Christian Dorsey, and Solomon Shoup, "to build a toll wagon-road from Denver City, by way of the South Park, through Tarryall to 'Saratoga West' on the Blue Fork". The "Blue Fork" was the present Blue River, of the western slope; and "Saratoga West" was, as set forth in my next chapter, the proposed site of a contemplated new "city" to be located upon the ground occupied by the present town of Sulphur Springs, the county seat of Grand County. The geography of the western slope was not well known at that time. The course of this road was southwesterly from Auraria-Denver to Mount Vernon, thence on in the same general direction over the foot-hills to the North Fork of the South Platte and thence westerly and southwesterly to Tarryall. It was "opened" to Bergen Park by the middle of December, and late in the next spring to Tarryall, when it became a thoroughfare between Denver and the South Park and Blue River mining-districts. But there had been some travel upon the route in the last half of the previous year.

Samuel W. Brown, Joseph M. Brown, and J. H. Cochran formed a company "to build a toll-road from Auraria, by way of Bradford and Piedmont, to the South Park". This road "connected with the Bergen road in the mountains, about twelve miles from the plains"; and in the following April its builders notified the public that it was "the shortest route to Tarryall and the Blue". This was true, but the rival road of Casto and his associates, by way of Mount Vernon, had "the easiest grades in entering the mountains", and was held to be the shorter in time.

John W. McIntyre, J. M. Ferrell, Harry Gunnell, and Lucien W. Bliss organized the "St. Vrain, Golden City & Colorado Wagon Road Company" for the purpose of "locating and improving a toll wagon-road from [the site of] Fort St. Vrain, by way of Golden City, to 'Saratoga West' on the Blue Fork". This highway, which was designed to side-track Auraria-Denver and divert to Golden City the travel up the South Platte and on to the South Park diggings, was "located and improved" before the end of the year as far as Mount Vernon. Of its further extension by the middle of the following April, and which was by way of Bradford, a contributor to the *Rocky Mountain News* said:

"I am happy to inform the people of this vicinity and the travelling public generally, that through the utiring energy and perseverance of Colonel McIntyre and others, as fine a mountain road to Tarryall, by way of Bradford, as I have ever travelled, will soon be completed for their accommodation. It is now finished to the crossing of the South Platte, and a large force of men are steadily at work on the other part of the road. I came from Tarryall to this place [Denver City] in two days."

Late in the autumn of 1859, some of the promoters of Boulder City again attempted to take a hand in road-building. The "Boulder City, Gold Hill & Left Hand Creek Wagon Road Company" was organized "to construct a toll wagon-road from Boulder City to Gold Hill and Left Hand Creek", but which appears not to have progressed in that year much beyond the paper stage. A contemporary highway-enterprise in that part of the country was the "St. Vrain, Altona, Gold Hill & Gregory Wagon Road Company", organized to locate and open a toll-road upon the course implied by the corporation's name. In that autumn and the following spring, a fairly passable road was made from the lowland to the mouth of a ravine which was then called "Aikins' Gulch", on Left Hand Creek, near Gold Hill. Some work also was done from the site of Central City northward, upon the

Gregory end of the contemplated thoroughfare. However, the connecting link was not constructed, and therefore the road failed to become a "through line".

No great amount of cutting, filling and bridging, as measured by modern standards, was done upon any of these toll-roads, and much the larger part of the labor was applied to the mountain sections. Over streams not easily to be forded rude bridges of logs were built, and here and there obstructions were removed and more or less grading was required. They were regarded as "fair" highways by those who used them, but nowadays would be considered pretty hard roads to travel. The use of the word "Colorado" in the names of two of these toll-road companies was due to the same misunderstanding that had caused the founders of Colorado City to make it a part of the "title" of their town.

About the time these road-builders were organizing, William H. Green "and associates" converted themselves into the "Fountain City Bridge Company", with intentions immediately "to build a toll-bridge over the Arkansas River at Fountain City", to serve the travel from and to New Mexico, and which was constructed in the following spring.

While the founders of new "cities" and the promoters of highways were busily engaged as related above, the miners in the mountains were having a kind of trouble that had not been anticipated in the days of the inrush to their diggings. In consequence of the previous winter's mildness, the summer and autumn of 1859 were dry seasons; and even before the end of the summer the supply of water, an element indispensable in placer mining, had begun to run low in all the diggings. By the coming of autumn, work upon a large number of claims had to be suspended and upon many others was greatly retarded because of its scarcity. The districts on the North Fork of Clear Creek were the more seriously affected by the drouthy conditions, which had been of some hindrance in the Gregory District and in Russell Gulch from before the middle of July.

To guard against the recurrence of such interruptions in their localities, the miners in Russell Gulch and adjacent parts organized the "Fall River Ditch Company" late in July, under the leadership of William Green Russell, to construct a ditch that would conduct water to them from the upper reaches of Fall River, the length of the required channel, measured by its windings, being a little more than eleven miles. About the same time, other miners, above Russell Gulch and nearer Fall River, formed the "Rocky Mountain Ditch Company", of which Robert W. Steele, who became Governor of "Jefferson Territory" some three months later, was elected President, to procure water for their district from the same source and by the same means. As Steele's company asserted priority in the Fall River water-right for this purpose, the two organizations, after a delay of several weeks, were merged into the "Consolidated Ditch Company", of which William Green Russell was chosen President; A. H. Owens, Secretary; and J. M. Wood, Superintendent. The ditch was a difficult and expensive undertaking; and, although work upon it was done gratuitously by a number of the interested miners, it was said to have entailed an outlay of \$100,000 in gold, or about \$9,000 per mile. Lumber, for flumes over ravines and for other requirements, delivered where it was to be used, was supplied at heavy cost, while the price of powder for blasting was eighteen dollars per keg. But labor was obtained at figures relatively much lower, as many idle men

who had failed to acquire a mining-claim from which they could abstract the means of living were glad to work upon the ditch at moderate wages. The channel was not completed until early in the summer of the next year, when its utility proved to be of great service to the districts it supplied.

About that time, the "Nevada Ditch Company" finished a conduit, several miles long and less difficult to construct, from near the head of the North Fork of Clear Creek into the diggings at Nevada.

Aside from their usefulness to the miners, these ditches are of further historical interest because their construction was the first work ranking as civil engineering that was done upon the soil of Colorado.

Other ditches of considerable length had preceded them in the lowland, but these comparatively were simple affairs upon open land and easy courses. On the 1st of May (1859), the "Cherry Creek Ditch Company" began digging a trench that diverted water from Cherry Creek at a point some six miles above the mouth of that stream, and completed it two months later. "The ditch will require an average depth of three and one-half feet for about one mile and a quarter", said a contemporary reference to it, "when it will follow a natural channel to the Platte, making a total length of a little over three miles and bringing an abundance of water to Auraria and the Spanish dry diggings" (the old "Mexican Diggings", on the right bank of the South Platte, in what is now the southern part of the city of Denver). At the same time, the "Platte Ditch Company", "commenced work on their ditch, leaving the Platte about nine miles above the mouth of Cherry Creek, and furnishing water to the Montana mines" [placer diggings in the vicinity of the site of the short-lived town of Montana and of the mouth of Dry Creek]. This ditch appears to have been completed before the end of May.

In most of the mining-districts on upper Clear Creek, and on Boulder Creek, as well, there was much difficulty in obtaining water for most of the more elevated workings. * For conducting it to these, flumes were made and ditches dug along the hillsides; and at several places on Clear Creek wheels with gearing and other appliances were set in the stream to raise water by the current's power to a height from which it could flow where it was needed. The miners in the Boulder districts also diverted the streams, for short distances, from their natural beds to higher levels. Mining operations in the South Park and on the Blue River were less troubled by scarcity of water than those of any other sections of the country.

Mechanical devices and appliances for dealing with gold-bearing quartz were introduced into the diggings on the North Fork of Clear Creek before midsummer of that year, the first of which, an "arastra", was constructed in the Gregory District by three "pardners"—Lehman, Laughton, and Peck. They began work upon it on June 28th, and by the middle of July had it in motion. The arastra was a Mexican invention, of an exceedingly primitive type, and of which the main part was a circular tub-like basin or vat in the ground, usually from twelve to fifteen feet in diameter and about two feet deep, walled and paved with stone set in some kind of mortar. Two posts opposite each other supported a horizontal overhead transverse beam at a man's height above the basin. From one side of the lower half of an upright post which turned on pivots, one in the center of the basin's floor and the other in the cross-beam above, a horizontal wooden bar extended to the circumference of the vat. From the opposite side of the pivoted

post a similar bar projected, and to which the motive power—a horse, mule, or ox, in Mexican practice—was hitched. To the first-mentioned horizontal bar, heavy stones, called “mullers”, were attached by means of ropes or chains. Water to the depth of several inches having been admitted into the basin upon a grist of quartz, the motive power moved 'round and 'round the vat, turning the pivoted post and thus causing the mullers to drag upon the quartz and grind it to powder in the water. After a “run” had been made, the water was drained off and the pulverized quartz removed to be washed or otherwise treated to extract the gold from the mushy mass. This simple contrivance served the purpose with fair efficiency, but with the slowness attributed to the mills of the gods. The *arastra* made by Lehman, Laughton, and Peck, was operated with oxen for several weeks, but the motive power applied in the beginning to most of the others that were used in the Pike's Peak region was that afforded by water, the pivoted post being turned by means of a belt driven by a water-wheel.

Rather an unique appliance for pulverizing quartz was devised and put into use at the Gregory Diggings in that summer by an ingenious miner named Redd, and to which the principle of the trip-hammer was adapted. A beam, to which a large maul-hammer was fixed at one end, was pivoted on the stump of a tree and worked by a small and crude water-wheel, the hammer-head striking upon ore placed in a wooden trough. From the motions of the more conspicuous mechanism of this pioneer “reduction plant”, it was given the appropriate name of “Woodpecker Mill”.

The first stamp-mill used in the Colorado country was one having a battery of six stamps, constructed near the mouth of Chase Gulch, in the Gregory locality, by Charles Giles, an Ohio man, during that summer, and was run by water-power. Giles made the entire outfit with his own hands, from material obtained on the ground; and, excepting the iron with which the stamp-stems were shod, every part of it was of wood. Yet, according to one of the lesser of the golden stories told in that year, this feeble and loose-jointed little mill made for its builder a profit of \$6,000 before the coming of winter.

The first steam stamp-mill that treated Pike's Peak ore was a “three-stamper” owned by Prosser, Conklin & Co., and was set up on Claim No. 1, of the Gregory District, about the middle of September, steam being raised in its boiler for the first time on the 17th of that month, the scream of the whistle echoing from hills upon which bands of mountain-sheep had been wandering in the stillness of the mountain solitudes less than six months before. The mill soon was regularly at work and doing well. On October 7th, Coleman, LeFevre & Co. started another steam stamp-mill, having six stamps, and which stood in Eureka Gulch, in the same neighborhood. Late in that month a pioneer named Clark took into that locality another six-stamp mill to be run by steam, and which he had in operation by the 1st of December.

The smaller of these equipments, crushing “headings” from the sluices—that is, quartz that was too coarse to pass through the sluice-screens—produced gold weekly to the value of about \$200 until the close of the season. The six-stamp mill of Coleman, LeFevre & Co., which had broken down shortly after its first start and remained idle for a month, became very profitable after it resumed work. From quartz taken from the Gunnell Lode at a depth of fifty-six feet, the results of a run of seven days were

1,442 pennyweights of gold. Later, from fifteen tons of Gunnell ore, raised from seventy-six feet below the surface, this mill obtained gold to the value of \$1,700.

By October 1st, there were five arastras and two small wooden stamp-mills running on the North Fork of Clear Creek, with four more arastras in course of construction. All these were operated by water-power, the pioneer ox-power arastra having in the meantime been equipped with a wheel.

Late in the summer, T. J. Graham conveyed a three-stamp mill to Gold Hill, in the Boulder Creek district; but, as it was a half-crippled affair, it failed to do much efficient work. In the middle weeks of the autumn, a larger mill, driven by water-power, was erected at Gold Hill, and which proved of good service in the following year. The production of gold in the South Park and Blue River districts and in those at and in the vicinity of the mouth of Chicago Creek appears to have continued to be confined to placer mining to the close of 1859.

There were no means of ascertaining definitely the aggregate value of the gold that was yielded by the Pike's Peak mines during that year. While some of the miners who had worked unusually rich claims had freely told the results of their operations, a large number of these were inclined to be reticent as to the proceeds of theirs. Furthermore, there were hundreds of less conspicuous claim-owners who had had generous returns for every day's labor, and many others whose rewards were of the rank of good wages. However, various estimates of the sum of the values were made, ranging from several hundred thousand dollars to "many millions". But all the circumstances imply the probability that the total approximated \$3,000,000.

While some thousands of our pioneer Pike's Peakers had acquired mining-properties that already had produced values varying from fair compensation for time and labor to amounts which were the equivalents of opulence according to the standards of that period, there was a much larger number of thousands from whom Fortune had withheld all favors. Among the latter were many who had raced from the scene of one disclosure to that of another until they had made the entire circuit of mining-districts, and still were empty of hand and light of pocket. Of such as these it has been said, but with a measure of exaggeration as to comparative numbers, that having heard "a rumor of discovery, they swarmed at that place, alighting like locusts upon a field which could not furnish ground for one in a thousand of those who came; and finding themselves too late, they swarmed again at some other spot, which they abandoned in a similar manner". Many others had ransacked the mountain region in futile efforts to emulate the success of Gregory and Jackson as prospectors.

About the 1st of September, the great majority of these disappointed men, who were weary, downhearted and tattered after their season of failure, began taking their leave of the country and trudging homeward in droves, commenting loudly and with much picturesque profanity upon their folly in heeding the infatuation which had allured them to Pike's Peak, and with strong voices proclaiming their eagerness to "get back to God's country" and their determination to stay there for the rest of their days. With this host of aggrieved and complaining victims of Adversity, went a large number of Fortune's favorites, nearly all of whom had good and sufficient reasons for their fixed intention to return after a winter's visit to their former

homes. More than one-half of the people who had been in the Pike's Peak country at the beginning of the autumn were included in this exodus, which continued unto the end of that season. The population that remained during the winter of 1859-60 was "conservatively estimated" to number between 20,000 and 25,000, but the figures used in this guess doubtless were too large. It was also "estimated" that about one-tenth of the total were residents of Auraria-Denver.

Family life, of which there had been but few examples among our Pike's Peakers before the preceding spring, now was well established in the larger of the lowland communities, and to a narrowly limited extent in some of the mining-towns in the mountains. The first birth in any of the American settlements in the region occurred in Denver City on March 3, 1859, and was that of a son of the trader and assistant town-founder, William McGaa, whose wife was a half-blood Sioux. The boy, who is still living, was named William Denver McGaa. Full-white native infantile additions to the population began in the following summer. The first of these interesting events was the birth of a daughter to Mr. and Mrs. Henry Humbell, of Auraria City, about the middle of July, the exact date not being of record. The child received the given-name of "Auraria", in honor of her birthplace. The Auraria City Town Company "donated" her a town lot and three to her parents. At Colorado City, on August 28th, a son, who was christened "Colorado" Johnson, was born to Mr. and Mrs. William Johnson, formerly of Pennsylvania. As this was the first birth in that "city", the proprietary town company presented this baby pioneer with eight lots. During the remainder of that year there were sundry repetitions of such proof that gold was not the only valuable product of the new country. The first Pike's Peak wedding under American auspices seems to have been the marriage, in Auraria City, on October 16th, by the Rev. G. W. Fisher, of John B. Atkins, of Mt. Clemens, Michigan, and Miss Lydia B., eldest daughter of Henry Allen, a leader among the citizens of Auraria. An editorial notation appended to the published announcement of this union of hearts and lives, says "this is the first marriage notice ever published in the Territory of Jefferson".

Several Protestant clergymen had come to the mountains with the summer throngs of immigrants; and in the meantime the beginnings of church organizations had been made in Auraria-Denver and in some of the other settlements. On October 3d, the first secular institution of learning in the Colorado country, a private "Union School", was opened in a rented log-cabin in Auraria City by O. J. Goldrick. Thirteen children, two of whom were Indian half-bloods, attended on that day; but a week or so later the number was increased to "between fifteen and twenty". Another of our pioneer educators laid claim in recent times to the distinction here accorded to Goldrick, but the records of that year contain nothing that gives support to his allegations of priority.

But a comparatively small number of those of our pioneers who remained after the autumn exodus had had any experience with Rocky Mountain winter-weather; and among those who had spent the previous cold season in Pike's Peak country there was some doubt as to a repetition of the mildness that had made it so agreeable. Many of the successful miners who had returned to their former homes had believed that their claims would be buried in snow or locked by frost, that the season would be one of idleness

in the mining-districts, and that they could put in the intervening time more happily and comfortably at their old firesides. But after a snowfall near the end of September, and which was about one foot in depth in the mountains, the weather continued bright and genial until near the end of the year. An extreme change, that prevailed for several days, came on December 26th, in the night of which, according to all accounts, the mercury in Auraria-Denver thermometers solidified, indicating a degree of cold lower than $39\frac{1}{2}$ below zero—the like of which has not been known since. Travel between the several lowland towns, and even to and from the Missouri River, was not interrupted for long at a time during the winter, nor were the mining-districts upon the eastern slope of the mountains rendered inaccessible.

Considerable activity in mining had continued until past the end of the autumn, and some new methods were introduced. These were tunnels into the hillsides, and which were driven at various places in the Clear Creek districts, but owing to their improper locations, due chiefly to the inexperience of their projectors, most of them proved of no practical use, and later were abandoned. Other miners were taking out and piling up ore, in anticipation of the installation of more and better milling facilities in the spring of the next year, those already upon the ground having been unable to treat all the gold-bearing mineral that was offered them. No small number of owners of claims in the mountains remained at their properties throughout the winter. In preparation for what they supposed would be a rigorous period of cold and storms, of enforced indoor life, and of isolation from sources of supplies, they banked their cabins high with earth and stocked them with a store of provisions sufficient to outlast the expected blockade. However, the conditions turned out to be for the most part greatly at variance with their anticipations and permitted them to do some mining in each of the winter months. In November, December and January, the owner of a placer claim in Nevada Gulch, using a rocker, washed out gold to the value of \$2,400.

The large quantity of the metal that had been taken from the beds of streams and from gulches and lodes since the discoveries in the mountains by Jackson and Gregory was not a more potent factor in stimulating confidence and enthusiasm than were the prospects for a wide extension of the mining-field, and a still greater production of gold in the developed districts, during the new year.

CHAPTER XIV.

EXTENSION OF THE PIKE'S PEAK GOLD-FIELD IN 1860.—INITIAL GOLDEN REVELATIONS IN THE MOUNTAIN VALLEY OF THE ARKANSAS RIVER.—DISCOVERY OF GOLD IN CALIFORNIA GULCH.—CIRCUMSTANCES ATTENDING IT.—OPULENCE OF THE GULCH MINES.—STAMPEDE OF FORTUNE-SEEKERS TO THE NEW DIGGINGS.—MULTITUDE OF PIKE'S PEAK IMMIGRANTS IN THE SPRING AND SUMMER OF 1860.—VISIONARY ANTICIPATIONS AND HARSH EXPERIENCE OF THE MAJORITY.—FURTHER DISCOVERIES ON THE UPPER ARKANSAS.—ACTIVITIES IN THE SOUTH PARK.—HAMILTON CITY.—NEW DISTRICTS OF BUCKSKIN JOE AND GEORGIA GULCH.—MINING OPERATIONS ON THE BLUE RIVER.—“LONG'S PEAK MINES”.—CONDITIONS ON UPPER CLEAR CREEK.—SILVER-VEINS FOUND AT GEORGETOWN.—INEFFICIENCY OF THE EARLIER STAMP-MILLS IN EXTRACTING GOLD FROM QUARTZ.—DIFFICULTIES ENCOUNTERED BY THE LODE MINERS.—THEIR IGNORANCE OF SOME FEATURES OF SUCH MINING.—IMPROVED SERVICE AND RESULTS BY THE STAMP-MILLS.—LIVELINESS OF THE CLEAR CREEK MINING TOWNS.—FOUNDING OF CENTRAL CITY.—ITS ABSORPTION OF MOUNTAIN CITY.—ADVENT OF EMPIRE CITY.—EXHAUSTION OF BOULDER CREEK PLACERS.—INCREASED DEVELOPMENTS OF QUARTZ MINES IN THAT DISTRICT.—SIGNS OF DEBILITY IN SOUTH PARK PLACERS.—CONDITIONS IN THE CALIFORNIA GULCH LOCALITY IN THE AUTUMN OF 1860.—RISE AND METEORIC CAREER OF ORO CITY.—GENERAL PROSPERITY IN THE LOWLAND TOWNS.—RAPID GROWTH OF DENVER CITY IN POPULATION AND BUSINESS.—PIKE'S PEAK GOLD COINS.—DAILY NEWSPAPERS ESTABLISHED.—COMMUNICATIONS WITH THE EAST.—AGRICULTURE NEAR DENVER CITY.—RETARDATION OF BOULDER CITY.—FLOURISHING STATE OF GOLDEN AND COLORADO CITIES.—NEW CAÑON CITY.—PROJECTED TOWNS OF THE WESTERN SLOPE.—FOUNDING OF PUEBLO CITY.—MAGNITUDE OF ITS SITE.—FOUNTAIN CITY AND ITS AGRICULTURISTS.—EXODUS OF DISAPPOINTED AND DISILLUSIONED MEN IN THE AUTUMN OF 1860.—OUTPUT OF THE MINES IN 1859-60.—GOLD DISCOVERIES IN THE SAN JUAN REGION.—GOVERNMENTLESS CONDITIONS IN THE PIKE'S PEAK COUNTRY.

The prevailing sentiment among the steadfast of our pioneers at the close of the winter of 1859-60 was expressed in the declaration that “never spring dawned upon a region of country, of brighter future, than now dawns upon this our chosen land of Jefferson”. Apparently in direct confirmation of this sanguine view, a great extension of the mining-field was made earlier in the new year than had been anticipated. This was a district lying in the mountains, on the far-upper waters of the Arkansas River. The *Rocky Mountain News*, in its issue of March 28th, said “a flying rumor that a party were making from twenty to twenty-five dollars each per day, on a tributary of the Arkansas River, south of the [South] Park, has been prevalent for a few days past, but we deem it too good to be true, though we have no doubt good mines are being worked in that region”. The rumor was true so far as it implied that a discovery had occurred in the mountain valley of the Arkansas, but not as to the compensations it was yielding to the discoverers.

Several small bands of prospectors had been in that part of the country in the autumn of 1859, but were not successful in their search. On February

15th (1860), a party of twenty-five men, among whom were L. Dow, J. B. Earl, William Fields, F. Hopkins, and A. G. Kelley, left Auraria-Denver for the upper Arkansas, where Kelley "had prospected last fall". Entering the South Park by way of the Ute Pass, they crossed the range that forms the park's westerly boundary, and on March 9th halted on the Arkansas, in a locality about twenty miles below the site of the city of Leadville. On two or three of the next preceding days, "several pans of dirt had been washed in the different ravines, and we never failed to get a good color". The party organized "Kelley's Mining District"—the first on the Arkansas River—on March 10th, so naming it for Kelley, who appears to have been the party's guide. J. B. Earl was elected President of the district, and William Fields Secretary and Recorder. In a published letter written by L. Dow on March 25th, he said:

"There are no other diggings discovered except the bar or river diggings. There is so much ice in the river at present that it cannot be prospected to advantage, but the banks and high bars will prospect from one to three cents per pan on the surface. The bed-rock has not yet been found, but everyone is confident of a good thing in the bed of the river. Men are now making from two to five dollars per day, with small rockers, being obliged to thaw the dirt and carry it in buckets from ten to twenty yards. People already begin to flock in here, and there will, no doubt, be three or four hundred men here before the first of April. The snow is fast disappearing, and there is nothing to hinder people from coming in with wagons or carts, and one or two thousand pounds load."

Prospecting in the river-bed soon was extended over a distance of some miles, with more encouraging results, which ranged from four to eight cents to the pan on the surface, and from five to twenty-five cents at a depth of five or six feet. Hopkins, a member of the party, carrying the first definite account of the new diggings, arrived in Denver on the 3d of April, having visited Russell Gulch and the Gregory District while upon his way. News of his company's discoveries had preceded him there, and he found many of the miners offering their claims for sale and making other preparations for an immediate flight into the new field. A stampede from all the older mining-districts to the Kelley Diggings, similar to that in which thousands of men went into the South Park and to the Blue River in the previous year, began in the first week of April. There were many instances of miners abandoning claims from which they were obtaining daily from fair to good remuneration, to take the chances of finding something better in the fresh territory.

In the last half of that month, another discovery was made in the mountain valley of the Arkansas, near the highest sources of that river, and which soon led to golden revelations that produced a frenzy of excitement among the population of the Pike's Peak country. According to the usual account of the circumstances attending the first strike of gold in that locality, a party of miners, consisting of T. L. Currier, Abraham Lee, Isaac N. Rafferty, S. S. Slater, and George W. Stevens, left Russell Gulch on the 19th of March pursuant to a plan they had formed thoroughly to prospect the section of the country near the head of the Arkansas. I quote the following from a popular version of the story:

"While they were at work in Russell Gulch the previous year, a man had come into the camp after an exploration of the region lying between Leadville and the Gunnison, and reported a very rich find in the neighborhood of what is now [1880] supposed to be Colorado Gulch. He had incurred so many hardships, however, having

been nearly starved to death before reaching the [Russell] diggings, that he had no desire to take any more chances in the pursuit of wealth, and therefore headed for the States."

This rather theatrical narrative goes on to tell that having received from their emaciated and disgusted informant what appeared to be an accurate description of the place of his "very rich find", Currier and his associates resolved to search for it early in the next spring. Setting out on the date given above, they traveled through the South Park, and after crossing the dividing range by a pass nearly opposite the present town of Granite, they struck the Arkansas at a point a short distance below the site of Granite. Passing over the river and turning up the valley, they prospected several gulches, but found nothing to induce them to make more than a surface examination. Moving on up the valley, they came to a "flat" near the lower end of a gulch, on April 8th, and from the sand in the bed of a creek flowing through the locality panned some faint "colors" of gold. Trudging on up the course of this stream—"they were nearly worn out"—and finding more "colors" as they advanced, they stopped at a point nearly opposite the site of Leadville. Here they went below the surface and again found "colors", in a cement-like deposit into which they could not penetrate far with the tools at hand. At a little distance farther up the gulch, when, of course, "they had almost abandoned the search", they came to evidence that earlier prospectors had been upon the ground: a recent shallow excavation which they believed to be the work of two men, who had forsaken their task. Enlarging this, and sinking it into gravel, they began using their pans, and presently obtained an average of fifty cents' worth of gold to each washing. Claims were staked off immediately. Two stranger-prospectors entered the gulch a day or two later, and were admitted into the company and given discovery-rights. "The seven men then proceeded to form a mining district, enact by-laws, and elect officers. All of this occurred between the 8th and 12th days of April, 1860." So was done, according to this story, the first mining and first claim-staking in "California Gulch," the scene of the richest and most famous placer mining upon the soil of Colorado.

But the facts, as stated by all the participants in the achievement, excepting Currier, differ materially from the stagy recital from which I derived the foregoing. A sober account of the initial discovery in California Gulch, published in the following August, and to which the names of Lee, Rafferty, Slater, Stevens, R. R. Alvord, and James W. Miller are attached, says nothing of the starved prospector and his tale, nothing of an attempt to locate his "very rich find", nothing of the excavation by earlier prospectors, and makes the party the result of an incidental meeting of its members, of their falling in company, at the mouth of the gulch. The following is a part of their narration:

"About the 12th day of April, Messrs. T. L. Currier, A. Lee, Geo. Stevens, Isaac N. Rafferty, and S. S. Slater fell in company at the mouth of this gulch (where it puts into the valley) all bent on a prospecting tour, and as usual in such cases, some of the company went a little distance up the gulch to take a look at it, preparatory to giving it a thorough prospecting, while the balance of the company remained to keep camp. After going up a short distance we found an air hole through the snow; we got down and took up a pan of the loose gravel near the surface—washed it out and found color, after which we returned to camp and reported. Then it was finally decided to prospect the gulch thoroughly. Then we were joined by James Miller and Rufus Alvord, who assisted in the performance of the labor. We were some two

weeks prospecting before we satisfied ourselves that it would pay to work, sinking hole after hole from eight to twelve feet deep: shoveling off the snow, where it was from eight to twelve feet deep, until at last we satisfied ourselves, after which we proceeded to the valley to make the wonderful discovery public."

They reported it at the Kelley Diggings—which in the meantime had not "panned out" as well as had been expected—in the evening of April 25th. On the next day a large party of the miners there went up to the gulch "to get in before the rush". These men made further developments in the new district, and were in possession of claims when the lead of a breathless multitude of eager men appeared at the gulch. Advices from the Kelley Diggings, dated May 7th, said "the district is entirely deserted, owing to high water and the recent discoveries", and that "all Kelleysburg" had gone to the gulch. When the richness of the gold deposits in that ravine became evident, the depression was given the name of "California Gulch" because its opulence was believed to equal, if not to surpass, that of the most productive placer district ever known in California.

Some of the diggings in California Gulch quickly proved to be by far the most opulent yet found in the Pike's Peak mining-region, and ere the middle of May the section in which it lay literally was swarming with miners, prospectors, and the riff-raff of the settlements. Reports from "the Gulch", unnecessarily illuminated by exaggeration, had produced an intense excitement in the older mining-districts as well as in all of the "cities", and started droves of men upon a scamper to the head of the Arkansas River. Denver and the other lowland towns were deserted by nearly all the untrammelled members of their population within a week. The gulch was staked out for a distance of six or seven miles, and by midsummer was harboring upward of four thousand people, among whom were three men who took from their claim gold to the value of \$60,000 in less than three months. "For a mile below the discovery shaft the gulch paid extraordinarily and regularly", says Hollister, in his *Mines of Colorado*, "but above and below it was spotted and streaked, and on the whole did not more than pay expenses. The discovery of McNulty Gulch, a few miles off, drew 500 loose-footed men in a single day. In this there was a vast amount of stripping; it was quite spotted, but all things considered, it turned out very well." Another writer relates that "very soon after the work of sluicing commenced, the miners noticed a heavy red sand of which they had the greatest difficulty in disposing. It mingled with the finer particles of gold and obstinately refused to permit itself to be carried off by the water". This troublesome "sand" was almost pure silver, but its value remained unknown until the discovery, in the later '70s, of the mineral from which it had been formed—a revelation that gave birth to the city of Leadville, which became the metropolis of Colorado's most famous silver-district.

Notwithstanding the tales of failure told by the thousands of empty-handed men who had returned from Pike's Peak to the States in the autumn of 1859, the reports of the successful miners who had accompanied them upon the way across the plains and the golden evidence of their good fortune which these exhibited, together with the announcement by the Director of the United States Mints of heavy receipts of virgin gold for coinage that had been mined in the Rocky Mountain sections of Kansas and Nebraska Territories, convinced the great body of the people of the East that a new

gold-region actually had been developed in the Far West and already was contributing largely to the material resources of the Nation.

These facts, circulated widely by newspapers, brought on another epidemic of gold-fever in many of the eastern States and in the sunrise parts of Kansas and Nebraska Territories, and which also affected the Pacific Coast and New Mexico. It caused a movement of hopeful fortune-seeking men to Pike's Peak in number which some of our pioneers thought to be as great, or even greater, than that of the multitude that had streamed to the Rockies in the spring and summer of the year before, but which probably was not so large. As had been the case in 1859, the mass of these newcomers consisted of men ignorant of the methods of mining for the precious metals, thoughtless of the competition they should meet in their efforts to establish themselves as working miners, and further self-deceived by the flights of their unrestrained imagination. Here and there among them were men who had their families and all their other belongings with them, anticipating no difficulty in beginning immediately upon their arrival at the mountains to lay the foundations of a competency. With the earlier trains and troops of this host was the great majority of the Pike's Peak miners who had passed the winter at their former homes, and now were returning to resume work upon their claims, some having with them their wives and children in evidence of their intention to remain permanently.

Caravans of wagons laden with merchandise, ore-treating machinery, agricultural implements, and all things else that might aid in producing profitable returns in the new country, were wending their way upon the routes leading to the "Kansas gold-region". It was estimated that eleven thousand wagons of freighters and emigrants, "bound for Pike's Peak", by the Platte River route, had passed Fort Kearny before the 1st of May. "The Platte Route may be said to have contained, for a full month", said a chronicler of that year, "but a single train, extending from the mountains to the Missouri River." At the same time other thousands of emigrants with their wagons, coming from the East and other freight-laden trains, were in motion upon the Arkansas River and Smoky Hill trails.

By the middle of May, reports of the discoveries in California Gulch were flying along all the routes of travel to Pike's Peak, and according to some of these, many of the miners in that gulch had found it no longer necessary to use picks, shovels, and pans in their work, but were scooping out gold with their hands.

The greater part of the incoming concourse stopped in the foot-hill towns only long enough to rest their animals and make essential repairs to their wagons, and then "put out for the diggings", the more promising of which in the estimation of most being those at the head of the Arkansas. A large number of the prospective miners who arrived at the mountains after the middle of May also headed for California Gulch; but others, warned of the overcrowded conditions in that locality, went into the older districts, in which they found so many claim-owners willing to "sell out" at a "reasonable price" that the ardor of hundreds was dampened at once and began to droop. Yet a number of the "pioneers of '60" succeeded in securing good claims, and some made what were then looked upon as "moderate fortunes". But of the many who were bent on mining and nothing else, and had had visions of great wealth accumulated in a single season and anticipations of carrying their golden gains home before the

next winter, four-fifths acquired nothing but disappointment and harsh experience. The only recourse for most of them was to seek and obtain employment under others; but as the mining-districts soon became overrun with idle men, wages fell to low figures. Of the circumstances that confronted such as these, Hollister says:

"There was little else to do but work by the day in the poorly secured lodes, or the deep, wet gulches, and wages were not much higher than in the States in proportion to the nature of the labor and the expense of living. It does not seem very strange, either, that the old settlers—who had been in the mines a year!—were somewhat cold toward the immigrants. They felt that they had earned what they had got, and that there was chance for others to do likewise. Surely, they said, all these strangers cannot expect employment here on our ground; let them branch out and find mines for themselves, or if not, go back. So the dwellers in wagons, in tents, in booths, prospected—which is a discouraging business except to the prospector by nature, who must have the faith of a martyr—made continual purchases of claims which they knew not how to work, gold-washing being a nice business, and were obliged to throw up; cut saw-logs or cord-wood, or engaged in such other work incidental to mining as the case admitted; or finally, laid around and consumed the grub they had brought with them."

However, the year 1860 relatively was the most prosperous known in the Pike's Peak region prior to the advent of the railway in Colorado's domain a decade later. Placer mining attained its zenith in that year, after which it declined steadily season by season.

Further extensions of the mining-field were made in 1860 subsequent to the great disclosures in California Gulch. Gold was found in a ravine at the base of Mount Massive and opposite the mouth of California Gulch. As the discoverers had used a frying-pan in washing out the first dust, the gully was named "Frying-pan Gulch". The place was fully occupied within a few days, but did not develop well until some eighteen months later, when the name was changed to "Colorado Gulch", which is mentioned in the story I have quoted telling of the starved prospector. At the site of our town of Granite, on the Arkansas River, about fifteen miles below California Gulch, H. A. W. Tabor, who later became a distinguished and eminently public-spirited leader in Colorado's affairs, discovered a highly productive placer from which he took the foundation of the large fortune he ultimately acquired in mining on the headwaters of the Arkansas. Some hundreds of miners found profitable employment in this locality, and also in the Kelley District, several miles farther down the river, work in the latter having been resumed after all the promising ground near the head of that stream was taken up.

Although many owners of claims in the South Park that produced but low values had either sold or abandoned them and gone to the new diggings on the Arkansas, that section of the mountain country continued to be the scene of feverish activity throughout the year. As if the three "cities" that had arisen there in 1859 were not enough, another town was added to the South Park collection in the summer of 1860. This was "Hamilton City", which was said to have been named after Earl Hamilton, a member of the Curtice party, that made the gold-discovery on Tarryall Creek in the previous year. In the prime of its short life, the new town, which stood on the eastward side of that creek, and was a close neighbor of Tarryall City, had a population of two thousand or more. Nevertheless, it passed into oblivion, in company with Jefferson City and Tarryall, at a time now

in the long past. In August, upon ground over which prospectors had tramped repeatedly in 1859, a rich placer was found by a party of which a frontiersman named Joseph Higginbotham was a member, but who was nick-named "Buckskin Joe", because of his garb of dressed buckskin. The diggings presently uncovered very lucrative deposits of gold. So, of course, there was a stampede to "Buckskin Joe", which name had been given the district in honor of Higginbotham. In October, the "city" of "Buckskin Joe" was laid out at these diggings, but in the next year its name was changed to "Laurette". The place was a typical mining-town, and had a lively career for several years, but has been extinct for many. About the time of the Buckskin Joe discovery, the yellow metal was found in "Georgia Gulch", a ravine drained by a headwater of the Blue River, and lying nine or ten miles to the eastward of the site of the town of Breckenridge. A horde of unemployed men raced into Georgia Gulch, some of the mines of which became "enormously profitable" in the autumn of the year. The older diggings on the Blue and Swan rivers were largely extended in the mining-seasons of 1860, when several thousands of men occupied them, most of whom were doing well or even better, while others were "just keeping soul and body together".

In the summer of this year, prospectors in the district drained by the upper waters of Big and Little Thompson creeks unearthed gold in quantities sufficient to imply that there was a great deal more to be had by further digging. A crowd of the fortune-hunting immigrants and also some experienced miners hurried to the locality of this strike. At the outset, these "Long's Peak Mines" bade fair to produce "big things", but by and by proved incapable of redeeming their promises. The territory of our Grand County also was pretty thoroughly prospected during the summer and autumn, but without results of much significance. I have found no authentic record of a productive mining-camp having been established in any part of the Middle Park in 1860.

While the scope of operation on upper Clear Creek remained about the same as at the close of the preceding year, most of the mines there were greatly developed and more systematically worked in 1860. There was an ample supply of water in all the districts, and it was said that that furnished by the Consolidated Ditch to the localities it served made mining practicable in them for fifteen hundred additional men, who were earning a daily average of five dollars. Silver-veins were discovered near Georgetown and a small beginning of mining for that metal was made; but the production of silver upon Colorado soil long continued to be of little importance. According to a pioneer story, some verdant miners on Clear Creek at their first encounter with silver-bearing ore thought the metal it carried to be "white gold". The Clear Creek districts received a fair quota of the immigration of that year, including a contingent that had first gone directly to the head of the Arkansas River. These newcomers, added to the "old-timers", made a population that occupied the valleys and gulches about to the limit of their capacity; and, as with their kind in other parts, many of them were in "hard luck". It was told that one of these, a former banker in Kansas, who was, or had been, a Presbyterian deacon, had turned to making and selling pies on Sundays to eke out his insufficient income on week-days, and that his bakery business was reinforced by an improvised saloon attachment.

A large number of quartz-mills, to be run by steam, were taken into the Clear Creek districts, and of which perhaps one-half were brought by men who had been upon the ground in the year before. By the 1st of July, there were sixty of such mills and about thirty arastras, including those erected in 1859, actively engaged in pounding and grinding gold-bearing quartz. Of the quartz-mills, a writer of the time said:

"Somehow the mills as a general thing do not save the gold; why, it is hard to tell. There must be some difficulty beyond the mills—doubtless the want of experience in the men who run them. Crushing quartz is a new business to them; and as it is a very nice one, requiring skill, and as all of us yet lack this skill, we fail in almost every attempt, just as every one does in a new vocation about which he knows nothing. Some of the mills have tried quartz from the Bates [Lode], and pronounced it worthless, while the arastras get \$200 a cord from the same stuff."

These wasteful difficulties, which involved much labor and expense, appear to have been lessened later in the year. But in the meantime all the mills were kept going, some of them running, "pay or no pay, to keep up appearances". All hands were unacquainted with the use of amalgamated copper-plates for collecting the gold. Concerning other troubles that beset the miners on the North Fork of Clear Creek at that time, I quote the following from a historical review of pioneer mining in what is now Gilpin County written by James Burrell in 1879:

"Pyrites of iron and copper were reached in many of the older lodes, and because little or no gold could be saved in the riffles from the 'iron', as it was called, it was believed to be not only worthless, but a material foreign to the vein matter, that had somehow displaced for a time the gold-bearing quartz. A subscription was made and work actually commenced on the Gregory [Lode] to sink through the pyrites to the brown quartz! Nothing better illustrates the universal ignorance of the whole business at that time than the facts above stated. Generally, when the sulphurets were reached, work was suspended."

On a number of the lode claims the miners also were being baffled, as they sunk their shafts deeper in following the veins of gold-bearing mineral, by what they called "caps" or "pinches". These were placed where the body of vein-matter contracted in cross-section and became too thin for profitable working, or "pinched out" altogether in barren rock; thus going "into cap". With few exceptions, the vein was struck again and in widening form by those who went deeper with their shafts. There had been some instances of this out-pinching in 1859, but now, with the further extension of the lode workings, the number of cases increased, and in the next year were still more frequent. Some of the miners of 1860, upon encountering this difficulty, supposing their claims to be "played out", sold them for whatever they could get, or, in the absence of a purchaser, abandoned them, and put forth to find something new and easier in the surface diggings. However, the majority of the "pinched" claim-owners attempted the expensive task of "sinking through cap". Many of these succeeded in reaching a depth at which the vein "opened out" and again became profitable. But others, whose reserve capital was insufficient to defray the cost of the work, were compelled to "throw up the job" by the exhaustion of their means. In after-times, most of the claims that had been thus forsaken were reoccupied and developed into mines of great worth.

Notwithstanding these various troubles, there was a plentiful supply of quartz for the stamp-mills and the arastras, of which, before the coming

thirty-eight by water-power, and fifty water-driven arastras in the upper Clear Creek districts. While the mills had been unsuccessful in dealing with the pyritous and some other gold-bearing mineral, they were producing in the last half of the year, when experience had been further expanded, from fair to large values from quartz taken from several of the lodes, the range being from \$7.00 to \$90.00 to the ton, although not all the gold carried by the ore was extracted. "This, it should be remembered", says Burrell, "was realized before the introduction of amalgamated copper-plates, or of uniformly fine screens." The placer diggings, into which improved methods had been introduced, relatively were doing far better than the lode mines. They were not only yielding greater quantities of gold, but the ratio of expense in mining it was much less. In many instances the results of sluicing largely exceeded in value those of the best of the previous year's work. As the labor-market was overstocked to the point of congestion, employers could obtain help at comparatively low wages, while provisions and other necessities were to be had at prices which, duly considering the heavy cost of freighting them across the plains and into the mountains, seemed reasonable.

The towns in these districts also were busy places: there was much building going on; many new mercantile establishments had been opened; and each community had its physicians, lawyers, politicians, and speculators. Each was infested by a ruck of featherless birds of prey; and was enlivened, if not benefited, by the usual "hurdy-gurdy" elements that always have been inseparable from primitive towns born of mining for the precious metals. But as to these circumstances and conditions, the Clear Creek communities were, according to their population, neither worse nor better than those in the South Park, and on the upper Arkansas and Blue rivers. Even the camp-like hamlets in the Boulder Creek district had a proportional share of them.

Toward the close of the summer, Nathaniel Albertson, John Armour, and Harrison G. Otis, founded and platted "Central City", which was also known in pioneer times as "Centre City", its site being nearly central between the locality of the Gregory Diggings and that of the lower mines in Nevada Gulch. Before the end of 1860, Central City was becoming the business center of the mining-districts on the North Fork of Clear Creek, and was made the capital of Gilpin County when that division was organized, in the winter of 1861-62. In the meantime, the Federal Postal Department established in Central City the post-office for the general neighborhood, and which theretofore had been in Mountain City. The latter, which had been deprived of much of its prestige in the meantime, now of much of its prestige in the meantime, now began to lose its individuality, and presently was merged into the new town, its name passing out of use. However, the two practically had been one community since the rise of Central City. "Central", as the town commonly was called, early developed into a university of Territorial politics, at which several statesmen who became conspicuous in public life in Colorado were graduated.

The only other town that arose on upper Clear Creek in that year and attained sufficient importance to figure upon our pioneer maps, was "Empire City", near Georgetown. While it never achieved the magnitude and dignity implied by its name, it is still one of the thrifty mining-villages of Clear Creek County.

Most of the placer workings in the Boulder Creek district were exhausted by the end of the summer of 1860; and thereafter the attention of nearly all the miners in that field was given to the further development of the quartz-mines that had been located and opened in that and in the previous year, and to searching for new veins. Before the end of autumn, there were four steam stamp-mills, five driven by water-wheels, and twenty-nine arastras worked by like power in operation at the Boulder mines.

In that season, a number of the thinner placer-claims in the South Park were "worked out", and some of those which had been yielding more generously began to manifest signs of debility, thus warning their owners of the coming necessity of finding the ore-bodies from which their gold had been carried by the elements. Several stamp-mills were taken into the park in 1860, and others to the diggings on the upper Arkansas. Use of the arastra also was begun in these districts in that season. But the results produced by quartz-mills and arastras at that time were almost insignificant in comparison with those of the placer methods, which continued to predominate during the "flush" period of gold-mining in that part of the country.

According to all accounts, there were about ten thousand people in and in the near neighborhood of California Gulch in the autumn of 1860, and every foot of ground in which even so much as a faint "color" had been detected was covered by a claim. "Oro City", the forerunner of Leadville and the metropolis of these diggings, had sprung up as if by magic. It was now far the more populous of the mountain "cities", and also was an impressive example of the "wild and woolly" mining-town. Yet the booming prosperity of town and diggings was destined to be of short duration. After about two years of this riotous opulence, the bottom upon which all of it rested fell out, and the "glory" of California Gulch and its capital departed. The decline was as rapid as the ascent had been. The entire locality finally lapsed almost into the solitariness of its original condition, and so remained for longer than a decade and until the beginning of the events that made it one of the world's widely-famous silver-producing districts.

The "cities" in the lowland, with the exception of Boulder and Fountain, were highly stimulated by the greatly increased production of gold in the mountain mining-districts. Early in April, the proposed consolidation of the Cherry Creek towns into "Denver City" was ratified by a large majority of their citizens at an election held to determine the matter. Although local jealousies had not been exterminated by the union, "Greater" Denver now was in the midst of a "boom" which, by comparison, made that of the preceding year, after the revelations at Chicago Creek and in the Gregory District, appear mild and unobtrusive. As with the Pike's Peak country at large, the year 1860 was proportionally the most prosperous in the history of the city. By the end of the summer, the town had a resident population of about four thousand, which was more than double the number it had contained six months before. Moreover, it swarmed with daily comers and goers, many of whom carried in their pockets small buckskin sacks filled with gold-dust and nuggets. Banks and wholesale merchandizing establishments had been opened, almost every branch of retail business of that period was represented, and new and comfortable hotels were at the service of the public. Some hundreds of new buildings had been

erected, and work upon a large number of others was actively in progress on both sides of the creek. Brick now were in common use by the builders. While the production of gold was almost entirely confined to diggings at varying distances in the mountains, Denver City was the favorite place for distributing it. Stage-coaches were going and coming to and from the Missouri River daily; and with the same frequency, other coaches were running between the metropolis and all the mountain towns, and also to and from those at the foot-hills. In the latter part of July, one of the city's banking firms, Clark, Gruber & Co., began coining Pike's Peak gold, in denominations of five and ten dollars, the appearance of which imparted a new sense of the substantiality of conditions in the country.

Another impressive evidence of this already had become familiar to the people of both the city and the outlying towns and mining-districts. Thomas Gibson, who had been one of the founders of the *Rocky Mountain News*, and later the publisher of the *Mountain City Gold Reporter*, coming from the Missouri River, had arrived in Denver City, in April, with an equipment for printing a daily newspaper. On May 1st, in Denver, he began the publication of the *Daily Rocky Mountain Herald*, the first daily newspaper issued in the Pike's Peak region. Ere four months had elapsed, the *Herald* had two competitors in the city. On the 25th of August, James T. Coleman and John C. Moore sent forth the first edition of their *Daily Mountaineer*. On August 27th, the *Daily Rocky Mountain News* appeared, published by the proprietors of the pioneer weekly *News*, who now were organized as a corporation, of which William N. Byers was President. The weekly *News* was continued, and of each of the others there was a like edition. Denver City now had three daily newspapers, all issued in the afternoon, the *Herald* and the *News* being excellent publications; but no other Pike's Peak town had any that was published more frequently than once a week.

The most speedy means of obtaining news from the East during that year, which was a memorable one in the national politics of our republic, were afforded by the Pony Express, which had begun its series of remarkable runs between St. Joseph, Missouri, and Sacramento City, California, early in April; messages destined for Denver City being brought from Julesburg by the regular coaches. But owing to the expense of carriage by the Pony Express, the facilities of that organization were utilized at Denver City only for news of exceptional importance, the tidings of lesser interest being in the form of "advices" conveyed from the river by the coaches. A message by the Pony Express, telling of the election of Abraham Lincoln to the Presidency, and which left St. Joseph in the afternoon of November 8th, was published in the *Daily Rocky Mountain News* in its issue of November 13th.

There had been some growing of vegetables upon the outskirts of the Cherry Creek towns, and also near Arapahoe City, in the previous year: but in 1860, large tracts of the soil along Cherry Creek and the South Platte, in the neighborhood of Denver City, and on Clear Creek, toward the foot-hills, were planted to general garden-stuff, for which Denver City was an eager market. While the prices received by the producers of these crops were not excessively high, they yielded net results that exceeded the average obtained by the diggers and delvers in the mines, of whom each began the

work of every day inspired by the hope that he should strike a "big thing" before the sun went down.

Boulder City was not flourishing in this year of general prosperity in the Pike's Peak country, the great attractions held forth by the mining-fields in the southerly parts of the gold-bearing area having been the principal causes of the drag. Moreover, many of the miners at work in the Boulder Creek section preferred to go to the metropolis at the mouth of Cherry Creek for their supplies and the transaction of other business, and also for the sake of seeing and participating in "city life". The bridge across the South Platte at the site of Fort St. Vrain and the road thence to the Boulder town had appealed almost in vain to the inbound travel on the South Platte route as the people streamed on to the mouth of Cherry Creek. As the hunters for fortunes in the form of virgin gold scattered out to the diggings, the Boulder Creek district received, as I have already mentioned, a quota of the hungry multitude. However, it seems that but few of these finally cast anchor in Boulder City. Indeed, the town had suffered serious depletion of its population at and since the beginning of the spring season. "The ranch-fever set in among the many disappointed gold-seekers" (who had wintered at Boulder City), says a historian of Boulder County who wrote thirty years ago, "and a large number of the town houses were moved to farming claims around." It was reported in the middle of May that "Boulder City has about fifty houses, and most of them are occupied", and also that "it has a population of one hundred, and is receiving additions almost daily". The concluding remark in this quotation was a figure of speech rather than a statement of fact. In the autumn of 1859, there were, as I have said in the chapter next before this, some seventy-five buildings in the town, which then had a population of about three hundred. But to the high credit of its people stands the fact that under these discouraging circumstances they built in that year the first structure erected upon Colorado's soil expressly for school purposes. This was a frame building that cost \$1,200, which sum was derived from popular contributions. "A good common school was kept up in this school-house until 1872, when a large fine school edifice was erected." In the matter of constructing any kind of building for school purposes, Boulder was not only first but well in advance of every other Pike's Peak town, bustling and somewhat bumptious Denver City not excepted.

Golden City, now claiming to have a population of one thousand, was "growing rapidly", and its people regarded Boulder as "an outlying village". "Scores of new houses are going up in all parts of the city", said a mid-summer report from that thriving town, "including many fine, large and substantial residences, stores, and hotels." But in interpreting this, the reader should make some allowance for the influence of the general enthusiasm of the time, and also for the assertiveness of the Goldenites in that period. They had taken on and were making great use of airs similar to those which then characterized the citizens of Denver City.

Aspiring Colorado City was faring well, and the hopes and expectations of its founders had been raised to lofty heights, as it was now "conceded to be the second city in size in the Territory" (of Jefferson). "The recent opening of rich mines on the Arkansas [at California Gulch] bids fair to turn a large travel through Colorado [City], and will necessarily build up a large trade at that place." Furthermore, its beautiful location in a

setting of great magnificence was inducing many of the newcomers whose purposes did not include laboring in mines to become citizens of the town, which, before the year was half gone, probably had a resident population of more than one thousand. The general opinion that the less difficult southern wagon-route to the new mining-districts near the head of the River Arkansas was by way of the Ute Pass and the lower border of the South Park, caused much of the going and coming to and from them in the summer and autumn of 1860 to pass through Colorado City, and so add to the activities that animated the town in that year.

Cañon City, now the enterprise of a new organization of promoters, who were celebrating it as a rival of Colorado City, had begun the year with the solitary log-cabin built in the preceding autumn, and which was occupied by Robert Middleton and his wife. Early in the spring of 1860, it was said that "considerable attention is now being directed to Cañon City", which was "represented as occupying an advantageous site, surrounded with an excellent agricultural region"; and also that "a number of heavy traders and capitalists are becoming interested in this point". Cañon City profited largely by the "California Gulch excitement". A letter written in July by one of its citizens stated that "over two hundred houses are either up or under way, including a large number of business houses". In the next month, several stone buildings, the most substantial yet built in any of the Pike's Peak towns, were well advanced in construction. Many of that year's immigrants who came to the mountains by way of the Arkansas River trails and were anxious to reach the new bonanzas at the head of that stream as quickly as possible, passed through the town upon their way thither. Before midsummer, Cañon City had a weekly newspaper, the *Cañon City Times*; and in the autumn the town's population was said to be "about four hundred".

I have mentioned some pages back that Breckenridge, the county seat of our Summit County, and the first settlement on Colorado's western slope that proved to be permanent, was founded late in the spring of 1860. But there were two western-slope town-propositions the inception of which preceded that of Breckenridge by some six or eight months. However, no definite action was taken upon them until the spring of 1860, when, at Mountain City, early in April, a meeting of those who had become interested in the projects was held to decide upon the expediency of organizing two town companies to lay out a like number of new "cities" on that side of the Continental Divide. Preliminary steps toward forming the companies were taken at that meeting. At another, held on May 5th, "at the house of J. E. Leaper, in Mountain City", the organization of the "Grand Junction Town Company" and the "Saratoga Town Company" was completed. The sites of both these projected municipalities was in what is now our Grand County, and it appears that the two were platted in that year. One, which was called "Grand Junction", was situated at the confluence of the Grand and Blue rivers. The site of the other, "Saratoga West", so named because it was expected to become the western equivalent of the noted "watering-place" in the State of New York, was, as I have heretofore mentioned, that of the present town of Sulphur Springs. In our pioneer years, the springs at that place were known as the "Boiling Springs", the "Hot Springs", and the "White Sulphur Springs". Among the projectors of Grand Junction and Saratoga West were some of the prospectors who had been in the terri-

tory of Grand County in the summer of the year before, and who had then not only "located" the two sites with a view of organizing companies to establish and exploit towns upon them, but had given the appellation "Saratoga West" to the one at the springs, and which accounts for its appearance in the name of two of the toll-road companies that were organized to open thoroughfares from Denver and Golden into the South Park and beyond in the later months of 1859. But both of these enterprises failed to "pan out", and soon were abandoned. In 1863, there was a small settlement, called "Grand City", upon the site that had been proposed for Saratoga West.

The year 1859 and nearly the whole of 1860 passed out before the name "Pueblo City" appeared in the annals of our pioneer years. The beginning of actual construction work upon the site of the embryo city heretofore has been assigned by implication to a time nearly a year earlier than that of the event, although meanwhile the land had been surveyed and platted. It is a matter to be regretted greatly that the whereabouts of the records of the organization that founded Colorado's second city in importance are unknown, if the documents still exist; but which probably is not the case. In the usual references to the formation of the Pueblo Town Company, it is said that the association was organized "in the winter of 1859-60". The usual accounts of Pueblo's beginning also say, or imply, that the erection of cabins and other buildings upon the site followed quickly after the formation of the town company. But these statements plainly are in error. According to the recollections of some of Pueblo's surviving pioneers whom I have consulted, and from various corroborative circumstances of the time, it appears that the town company was organized late in the spring of 1860. It is highly probable that the movement to establish the town was one of the consequences of the "California Gulch excitement"—that its inception was due to the discovery of the rich placer mines at the head of the Arkansas River, and which at the time, as well as for two years or so afterward, bade fair to make the mountain valley of that stream the permanently great gold-producing field of the Pike's Peak region. The discovery promised a prosperous future to another metropolis at a mountain-gateway—to a city established upon broad plans, and with ample room for expansion, near the locality in which the Arkansas broke away from the foot-hills and entered upon its course through the plains.

The more prominent of Pueblo's founders were Colonel William H. Green and Albert F. Bercaw, pioneers of Fountain City; Dr. W. A. Catterson and his brother, Wesley Catterson, Dr. George Belt, Silas Warren, and Edward Cozzens. The site, bounded on the east by the Fontaine qui Bouille and on the south by the Arkansas River, was surveyed and platted in the summer of 1860 by George B. Buell and E. D. Boyd, of Denver City, and who had interests in the planned municipality, the area of which, on paper, was greater than that of any other of our pioneer "cities". A large and beautiful map showing the results of their labor, skill and fancies, was made by these surveyors, and which the town company caused to be lithographed "in the highest style of the art". Judge Wilbur F. Stone, who had become a citizen of the town in the winter of 1860-61, in a sketch of the origin and rise of Pueblo, written early in our Nation's centennial

year, in response to a general request at that time from the Federal Government for historical contributions from each division of the Union, says that the site, as surveyed, "extended from the river back two or three miles toward the divide, and from the Fontaine qui Bouille on the east to Buzzard's Ranch on the west"; and that "near the mouth of Dry Creek was an extensive 'City Park' (on the plat only), filled with serpentine drives and walks, rare shrubbery, and exotic flowers, amid which the alkali dust was gently subdued by the spray of a dozen refreshing fountains".

As to the identity of the first builder upon a Pueblo town-lot there is no certain knowledge. The distinction was claimed by A. C. Wright, who had been a member of the Lawrence party of Pike's Peak (1858), and who was commonly called "Jack" Wright. But he asserted his firstness in so many achievements during our pioneer years, and of which some are in conflict with each other, that doubt arises as to his priority among the builders in primitive Pueblo. Only a few cabins were erected in the town in 1860, and these were built late in that year, about which time Colonel William H. Green and Albert F. Bercaw constructed a trestle-work toll-bridge over the Arkansas, where the present Santa Fé Avenue intersects the river. In February, 1861, Pueblo was described as "a small town lying just under some bluffs by the bank of the river; there is a store there, and a bridge across the river". Most of the dwellers in Fountain City removed to Pueblo in 1861, and not long afterward that town became practically abandoned. Its site is now included in the part of the present city of Pueblo that is called "East Pueblo". The early decline of the gold-diggings in the mountain valley of the Arkansas affected Pueblo seriously, the growth of which also was hindered through the '60s by the same adverse causes that isolated and retarded Colorado City.

Neither the increase in gold-production nor the tide of travel to our mountains in 1860 contributed appreciably to the growth of Fountain City, the population of which at the end of the summer of that year being rather less than it was twelve months before. However, the husbandmen of the town and of its immediate neighborhood, having added to their facilities for irrigating their fields, had planted a much larger area to corn and vegetables than in 1859, and which had proved acre by acre equally profitable. Like crops were grown in that season by some American settlers and Mexicans located at and near the mouth of the Huerfano River. Vegetation matured about two weeks earlier on the Arkansas than on the South Platte, and these planters found greedy customers for their more precocious products of the soil among the later of the Pike's Peak immigrants of that year. They also disposed of many wagon-loads of them in Denver City, some of which arrived there a week or so before the local agriculturists had anything ready for the market. The history of the expansion of agriculture in Colorado from such beginnings as these, and of the inception and construction of great systems of reservoirs and water-ways for the irrigation of large tracts of land, appears elsewhere in this volume.

For the great body of the men who flocked to Pike's Peak in 1860 that year was not one of prosperity. As in the case of the multitude of the previous year, nine-tenths of these came with no other purpose in view than that of engaging in surface mining, and were either unprepared or indisposed to attempt anything else. Of the nature of the work they had

expected to do and from which they anticipated fortune-like results, not one in ten had a proper conception. The general supposition seemed to be that in a "gold-field" every square rod of ground must yield more or less of the metal, and therefore afford from fairly to highly remunerative employment for armies of diggers, with good chances that each toiler might on any day have occasion to use a shovel in taking out the golden contents of his claim. Only now and then among the inexperienced was there one whose judgment apprised him that even in a district truly "rich in gold" a large part of its area would be barren, and that profitable and worthless claims in such a district might lie side by side. Some of the disappointed and disillusioned turned their faces and footsteps homeward before midsummer, and in the first half of September they departed by droves. The exodus, as in that of the preceding year, included a number of men who had acquired a stake in the country and therefore intended to return in the next spring; but of those who had left nothing behind them scarcely one in a hundred ever came back to try their luck again at mining in the Rocky Mountains. Many of these had invested their all in the fruitless expedition, and were "flat on their backs" as to resources with which to resume the old life in the old places. Never again in the Pike's Peak country were there such dramas, of mingled tragedy and comedy, as those enacted by the hosts that overran it in 1859 and 1860. The resident white population of the Pike's Peak mining-region in the winter of 1860-61 probably numbered somewhere near 35,000.

There were no better means of determining the aggregate value of the gold mined in the year 1860 in the territory that now forms the State of Colorado than in 1859. Calculations differed as widely as they had in the previous year. Mr. William N. Byers, editor of the *Rocky Mountain News*, estimated in June that the production of gold then was at the rate of \$3,000,000 per month. But it appears that the results in June were much greater than the monthly average during the summer and autumn. Doubtless the total for the year was not less than \$7,000,000, and probably it exceeded that sum largely. At all events, it is safe to say that the total for 1859 and 1860 was not less than \$10,000,000.

At the close of 1860, still another great extension of the Pike's Peak mining-field was in promise. It had been reported some six months earlier that a "rich discovery" had been made on a headwater of the Rio Grande, but the story proved to be a deception. However, late in the autumn of that year, gold was found in several places in our San Juan country, which then, as a fact of law, was a part of the Territory of Utah, and in which a number of prospectors had been searching since the overrunning of the California Gulch locality. But owing to adverse weather-conditions, the value of these discoveries could not be determined in that season.

The circumstances and results of the further development of mining for the precious metals in the Pike's Peak country, from the time it became Colorado down to the semi-centennial of the latter, are recounted in another chapter of this volume.

The region in which our early pioneers had wrought their remarkable achievements and made their extraordinary progress—had planted civilization in a remote wilderness, founded and builded towns and villages, and established a great industry, in the short period of less than two and one-half years—still was without a lawful form of government. Nearly the

whole of their work had been accomplished in the western extremities of the Territories of Kansas and Nebraska, and which were parts of the national domain over which no lawfully-constituted jurisdiction yet had been extended. However, they had had several alleged "jurisdictions" simultaneously in operation among them, but of which none was legally effective. Real property of great value had been acquired, but to which they had no title in law. They also had had their quota of murderous scoundrels and provoking thieves, against whom they had defended themselves by the methods implied by the term "Emergency Courts", organized at the moment, and from the decisions of which there was no appeal, to try offenders and to execute those who were convicted of what were held to be capital crimes. But in the meantime they had entreated the Federal Congress again and again to provide for the institution of lawful government in the region they occupied: and, pressed by the chaotic political conditions under which they were living, had organized in due form and put into actual but illegal operation a Territorial Government, in hopeful expectation that Congress would recognize and clothe it with lawful authority.

CHAPTER XV.

ORGANIZATION OF THE TERRITORY OF COLORADO.—PIONEER ELECTION OF A DELEGATE TO CONGRESS.—SCHUYLER COLFAX'S BILL FOR THE "TERRITORY OF COLONA".—DELEGATE GRAHAM'S PETITION.—ALEXANDER H. STEPHENS' BILL FOR THE "TERRITORY OF JEFFERSON".—FAILURE OF TERRITORIAL BILLS IN THE LAST SESSION OF THE THIRTY-FIFTH CONGRESS.—POLITICAL COMPLEXION OF THE THIRTY-SIXTH CONGRESS.—THE HOME-MADE "TERRITORY OF JEFFERSON".—THE "SLAVERY QUESTION".—APPEALS TO THE PRESIDENT AND TO CONGRESS FOR THE RECOGNITION OF THE "PROVISIONAL TERRITORY OF JEFFERSON".—ECHO OF THE DRED SCOTT DECISION.—SENATOR GREEN'S BILL FOR THE "TERRITORY OF COLORADO".—HOUSE BILLS FOR NEW TERRITORIES.—THE PIKE'S PEAK "TERRITORY OF IDAHO".—MEANING OF "IDAHO".—CAREER OF THE IDAHO BILL IN THE HOUSE AT THAT SESSION.—HOUSE BILLS FOR NEW TERRITORIES IN THE SECOND SESSION OF THE THIRTY-SIXTH CONGRESS.—"TERRITORY OF IDAHO", AGAIN.—CONSIDERATION POSTPONED.—SENATE BILL FOR THE "TERRITORY OF COLORADO".—CHANGES OF NAME AND FINAL ADOPTION OF "COLORADO".—PASSAGE OF THE BILL BY THE SENATE.—ITS AMENDMENT AND PASSAGE BY THE HOUSE.—ATTEMPTS IN THE SENATE TO RECONSIDER THE BILL.—SENATE'S CONCURRENCE IN THE HOUSE AMENDMENT.—THE BILL BECOMES A LAW.—APPROPRIATIONS FOR THE NEW TERRITORY.—ITS CONDITION AS TO SLAVE PROPERTY.—PART OF ITS AREA SLAVE SOIL BY LAW.—THE NAME "COLORADO" AND ITS MEANING.—OTHER PROPOSED NAMES.—APPOINTMENT OF EXECUTIVE AND JUDICIAL OFFICERS FOR THE TERRITORY.—INSTITUTION OF LAWFUL GOVERNMENT IN THE PIKE'S PEAK COUNTRY.—TEXT OF THE COLORADO ORGANIC ACT.

In the autumn of 1858, at the time the small community of Colorado Argonauts encamped on the westward side of Cherry Creek, at its mouth, were organizing the Auraria Town Company and otherwise preparing to build a "city" upon that ground, some of the company's members, following the natural trend of the American mind, resolved also to make an effort at once to have the Federal Congress detach from the Territories of Kansas, Nebraska, and Utah an area of the Pike's Peak region sufficient to form a new Territory, and to provide a government for it. As none of these men, excepting their adopted pair of Indian traders, had been in the country for longer than a few weeks, and as nearly a majority of its American population was represented by those who formed the Auraria organization, this purpose would seem to have implied rather an extravagant estimate of their political needs. But they were enthusiastic, and cherished both hope and faith to a degree that was out of all proportion to their actual knowledge of the resources of the wilds around them, for which they were to ask a separate Territorial government. While they were within the boundaries of Kansas Territory, they were far beyond the ability of the feeble government of that Territory practically to extend and exercise its authority, even had it not been prohibited from doing so by the organic act of the Territory. As stated in a preceding chapter, the region was "Indian country", unorganized and unsurveyed, title to which, under the existing policy of the Federal Government in dealing with the red people,

remained to be obtained, by formal treaty and cession, from the tribes that were occupying it.

However, our pioneer politicians believed that they could have these conditions changed before the next spring, and decided that the first movement toward the accomplishment of their purpose should be to elect some one of their number who was able and willing to go to Washington and lay their case before Congress. At that time there were less than two hundred Americans, all told, in the Pike's Peak country, and of whom, as I have said, about one-half were squatted at the mouth of Cherry Creek, while some were upon the site of Colorado City, others upon that of the city of Pueblo, and still others were above the southern boundary of Nebraska. Hiram J. Graham, who arrived at Cherry Creek on October 10th, was selected as the more available man in the settlement to serve as delegate. But as it was deemed best to go through the formality of recourse to the ballot-box more properly to determine this, an election was held, as mentioned in my account of the organization of the Auraria Town Company, in Auraria City on November 6th, the day on which the first officers of that town company were chosen. As Mr. Graham had no opponent, the voting was unanimous in his favor. But it is not probable that Congress was advised as to the exact number of freemen who took part in the election, for only about thirty-five ballots were cast. In view of the fact that the town company's officers were elected by eighty-four votes, it is difficult to account for the lightness of the vote for delegate.

Bearing with him the most imposing documentary credentials that the slender resources of Auraria could produce, and also armed with letters from some of his constituents who had friends in Washington or who were acquainted with any of the statesmen there, Mr. Graham set out from Auraria City, on November 8th, two days after his election, upon his long and slow journey to the national capital, where he put in an appearance about the middle of January (1859).

This swift political proceeding prompted William M. Slaughter, one of the early comers to the mouth of Cherry Creek, who had served as "Judge" of the election, and who was most usefully identified with our pioneer affairs, as well as with those of later years, to make the following entry in his diary:

"Just to think that within two weeks after the arrival of a few dozen Americans in a wilderness, they set to work to elect a delegate to the United States Congress, and ask to be set apart as a new Territory! But we are of a fast age, and must prod along!"

Representative Schuyler Colfax, of Indiana, having anticipated the demand from the Pike's Peak country for the organization of a Territory in that region, had moved in the matter before Mr. Graham reached Washington. On January 6th (1859), by unanimous consent of the House, he introduced a bill, of which he had given previous notice, "for the organization of the Territory of Colona", and which was read twice, ordered to be printed, and then referred to the House Committee on Territories. With this entry the history of the Colona bill in the published records of the proceedings of Congress has its beginning and end, as it was not reported to the House by the Committee on Territories. However, it was with Mr. Colfax's measure that the movement in Congress to organize in the Pike's

Peak country a new political division of United States territory was initiated.

While Mr. Graham received at Washington no recognition as a Territorial Delegate in Congress, but was regarded merely as "the agent of the people at Pike's Peak", he was prompt in having the purpose of his mission brought to the attention of the national lawmakers. On January 27th, Senator James S. Green, of Missouri, who was Chairman of the Senate Committee on Territories, presented to the Senate the "petition of Hiram J. Graham, praying the organization of a new Territory, to be composed of the western part of Kansas, the southwestern part of Nebraska, and the eastern part of Utah", and which was referred without debate to the Committee on Territories.

Bills already had been introduced into the Senate at that session to provide for the organization of the Territories of "Arizona" and "Dacotah", the former to have boundaries about the same as those of the present Arizona, while the latter was to be formed from "that part of Minnesota Territory lying west of Minnesota State and east of the Missouri River". This programme was in keeping with the old balancing-policy for maintaining an equilibrium between slave and free divisions, and under which new States had been admitted into the Union in pairs—one free and the other slave. It was anticipated that in the course of time Arizona would become a slave State, with free Dacotah as a counterpoise. The bills for the two had been referred to the Committee on Territories.

On February 4th, Senator Green favorably reported from that committee a new bill, based upon those which had been referred, providing for the organization of both "Arizona" and Dacotah", and which was read and passed to a second reading. Nothing was said then about Mr. Graham's petition, but four days later Senator Green submitted from his committee a report adverse to any further consideration of the Pike's Peak proposition, and in which the Senate concurred—an action that laid the petition upon the senatorial shelf. On the 14th, when the Arizona-Dacotah bill was called up, objections to its consideration were made, and therefore it went over. This ended the proceedings in the Senate on the subject of new Territories during that session of Congress.

In the meantime, the House further had taken a hand in the attempts to form new Territorial divisions. A bill for "Dacotah" had been introduced in December (1858), and was referred to the House Committee on Territories, of which Alexander H. Stephens, of Georgia, who became about two years later the Vice President of the "Confederate States of America", was Chairman. It is evident that Delegate Graham had been at work among the members of the House as well as among the senators, for Mr. Stephens, on January 28th, by unanimous consent reported from his committee "a bill to provide a temporary government for the Territory of Jefferson", which was to be formed in the Pike's Peak country. After the bill had been referred to the Committee of the Whole House on the state of the Union and ordered to be printed, Representative Galusha A. Grow, of Pennsylvania, arose and said that he desired "to offer an amendment to that bill: to strike out the word 'Jefferson', and insert the word 'Osage'" —thus making the name "Osage Territory". Mr. Stephens responded by saying that "that proposition can come before the Committee" (of the

Whole). Mr. Grow then remarked: "I only wanted to have notice of it given now."

Mr. Stephens also reported on that day bills to provide for organizing the Territories of "Arizona" and "Dakotah", and which went with the Jefferson bill to the Committee of the Whole.

The record does not show that these bills were considered by the House in Committee of the Whole. Chairman Stephens attempted on January 31st and again on February 7th to have days set "for the consideration of Territorial business", but his offered resolutions to that end were barred by objections. The bill to make a State of the Territory of Oregon came up in regular order and was passed on February 12th, but the three measures for new Territories remained neglected.

On February 16th, Mr. Stephens reported from the Committee on Territories new forms of bills for the proposed three divisions, and which were read twice. Mr. Stephens then moved to recommit them, "in order to keep them before the House, in case discussion arises". But the House quickly disposed of them in another manner. By a three-fifths affirmative vote the bills for Arizona and Dakotah were ordered to be laid upon the table, and upon motion of Representative John G. Davis, of Indiana, the Jefferson bill met the same fate without roll-call. This action ended the "Territorial business" of that session of the House, as the bills were not taken from the table, but died there with the expiration of that Congress, on March 4, 1859. There was a general disposition among the non-Democratic members to let the subject of new Territories go over to the next Congress, already elected, and in the House of which the pro-slavery men would be in minority. However, Mr. Stephens was deeply in earnest in his efforts to secure passage of the three bills, although he knew that two of the proposed Territories most probably would develop into free States. He was chiefly instrumental in pushing the Senate bill for the free State of Oregon through the House at that session, and which President Buchanan approved immediately.

Delegate Graham stayed in Washington until the adjournment of Congress, hoping that by some chance the bill for his Territory might be taken up and passed. He received no compensation for his services, which were able and faithful, and personally bore all his expenses when going and returning as well as while he remained in the national capital.

The particulars of the measures for the three proposed Territories can not be ascertained now, as the text of the bills does not appear in the published records of the proceedings of that Congress, while copies of them, as printed for the use of the House, are not available.

The great obstacle to the enactment of laws creating new Territories in that period was the increasing antagonism between the northern and southern sections of the country over the question of the extension of slavery. The irrepressible conflict between Slavery and Freedom made each side jealous and suspicious of any movement on the part of the other toward organizing Territories, which would in the course of time develop into States with representatives in both houses of Congress.

When the Thirty-sixth Congress met in its first session, on Monday, December 5, 1859, the country was in a turmoil over the John Brown affair, and that zealot had been hanged on the previous Friday. In the Senate of that Congress there were thirty-eight senators who were classed as

Democrats, twenty-five as Republicans, and two as Know-Nothings. But in the House no party had a majority of the members, there being 109 Republicans, eighty-six Democrats, thirteen Anti-Lecompton Democrats, and twenty-two Know-Nothings. As a proposition to organize new Territories inevitably would involve the "slavery question", the prospects for favorable legislation upon the subject by that Congress appeared dismal. The business of the first session was blocked for nearly two months by the prolonged contest over the organization of the House, and which was not ended until February 1st (1860), when William Pennington, of New Jersey, a Republican, was elected Speaker.

In the interval between the expiration of the Thirty-fifth Congress and the first meeting of the Thirty-sixth, "the people at Pike's Peak", disappointed by the failure of the former body to provide a Territorial government for them, and moved to action by the lawless conditions under which they were laying the foundations of a new Commonwealth, had taken the matter into their own hands, organized the provisional "Territory of Jefferson" (the history of which is the subject of my next chapter), elected for it a Legislature and a full complement of executive officers, and put its machinery into operation. For "Delegate in Congress", they had chosen Beverly D. Williams, a leader among the pioneers of Denver, who proceeded to Washington in due season. He represented his constituents capably and loyally during the two sessions of the Thirty-sixth Congress, but, as in the case of Mr. Graham, had no actual standing as a Delegate, and served without compensation. Yet he was received with consideration, admitted to the floor of the House, and was heard by the Committee on Territories of each chamber.

Notwithstanding the dubious prospects for passing any measure for a new Territory, some Territorial bills were brought into the Senate while the House was in contention over the Speakership. In the latter part of December, Senator Jefferson Davis, of Mississippi, introduced one to provide for organizing "Arizona Territory", and Senator Henry M. Rice, of Minnesota, gave notice of his intention to submit a bill for "Dakotah Territory", but which did not appear. Early in January, Senator William M. Gwin, of California, passed up a bill which proposed to form "Nevada Territory" from the western part of Utah. This and Davis' bill were referred to the Senate Committee on Territories, but neither of them ever was reported back to the Senate.

The attitude of nearly every "southern" member of both houses of that Congress, and also of some "northern" members, upon the slavery question in its application to Territories, was concisely stated in the following resolutions submitted to the Senate on January 18th by Senator Albert G. Brown, of Mississippi:

"Resolved, That the Territories are the common property of all the States; and that it is the privilege of the citizens of all the States to go into the Territories with every kind or description of property recognized by the constitution of the United States, and held under the laws of any of the States [slaves were such "property"]:
and that it is the constitutional duty of the law-making power, wherever lodged, or by whomsoever exercised, whether by the Congress or the Territorial Legislature, to enact such laws as may be found necessary for the adequate and sufficient protection of such property.

"Resolved, That the [Senate] Committee on Territories be instructed to insert, in any bill they may report for the organization of new Territories, a clause declaring

it to be the duty of the Territorial Legislature to enact adequate and sufficient laws for the protection of all kinds of property, as above described, within the limits of the Territory; and that upon its failure or refusal to do so, it is the admitted duty of Congress to interfere and pass such laws."

The propositions contained in these resolutions, while not new, were debated long and earnestly by the Thirty-sixth Congress; and although Senator Brown's expression of them was not brought to a vote, persistent efforts were made to inject their essence into every bill proposed in that Congress to provide for organizing Territories.

Early in February (1860), Delegate Williams received from the Governor of the home-made "Jefferson Territory" a memorial from its "Legislature" with instructions to have the document presented to the two houses of Congress, and, if possible, to obtain favorable action by them upon the subject with which it dealt. The address had been authorized by a joint resolution adopted by the Jefferson Legislature on the 1st of the previous December, and which directed

"that a committee of three be appointed to draft a memorial to the President and Congress of the United States, asking for the recognition as legal of the provisional government of the Territory of Jefferson; for assistance from the United States in defraying the expenses of the same; for the erection of a Territorial government for the Territory of Jefferson, or an enabling act to form a State government for the same; for the extinguishment of the Indian title, and the survey of the lands of the Territory; for the encouragement of railroads to the Territory; for the establishment of an assay office in the Territory; for a geological survey; and for such other acts as may be for the interest of the people of the Territory of Jefferson".

The memorial, which was addressed to "the honorable his Excellency, the President and the Congress of the United States", was attested by Robert W. Steele, "Governor of the Provisional Territory of Jefferson"; by Eli Carter, "President of the Provisional Council of the Territory of Jefferson"; and by James A. Grey, "Speaker of the House of Representatives of the Provisional Territory of Jefferson". It went on at great length to recount the circumstances of the migration to the Pike's Peak country; to point out the effects of the lawless conditions under which the pioneers had established settlements in it; and to give the outlines of the history of the movement which had resulted in the organization of "Jefferson Territory", the illegitimacy of which was admitted without reserve. The document prayed for everything that had been specified in the joint resolution, but laid especial stress upon the urgent need for an effective lawful government, for which two propositions were submitted, the first being as follows:

"Whereas the provisional government of the Territory of Jefferson, now established and in present successful operation, is the act of the people, and meets the peculiar wants of said people in its various enactments, giving them legal remedy in case of grievance, and protecting life and property, we, your memorialists, do pray the Congress of the United States to recognize said provisional government and its acts, so far as they do not conflict with the Constitution and laws of the United States, as legal and binding and of full force and effect, until superseded by the acts of the Territorial or State government, which shall supersede said provisional government."

The second proposition, framed in anticipation of a refusal by Congress thus to recognize the provisional government of "Jefferson Territory" and to legalize its acts, was in the following form:

"Whereas the provisional government of the Territory of Jefferson was formed to meet exigencies of the present time, and only to endure until a regular Territorial or State government is formed: and whereas the people of the Territory of Jefferson do earnestly desire a legitimate and permanent form of government, your memorialists do pray the Congress of the United States to pass an organic act for the Territory of Jefferson, or an act enabling the people of the Territory of Jefferson to form a State government, if the census to be taken in 1860 shows a population within said Territory of 95,000 persons."

Delegate Williams placed the memorial in the hands of Representative Green Adams, of Kentucky, for presentation to the House, together with a copy of the "Jefferson" Legislature's joint resolution, a copy of Governor Steele's first message to his lawmakers, and the following letter:

"To the Senate and the House of Representatives of the United States:

"Washington City, D. C., February 9, 1860.

"The undersigned, a delegate elect from the proposed new Territory of Jefferson, having just received from the governor of said Territory the enclosed petition from the legislature of the provisional government, now in actual operation within the bounds as laid down in said petition, also the message of the governor of said provisional government, asking the establishment of a territorial organization for the same, the establishment of post routes, &c., with instructions to me to have the same laid before your honorable bodies, for such action as you may deem right and proper in the premises, I take pleasure in presenting the same to you, and ask that it be printed, together with this communication, and referred to the Committee on Territories.

Beverly D. Williams,

Delegate."

Mr. Adams submitted the documents to the House on February 15th, when they were referred to the Committee on Territories and ordered to be printed. But the record does not show that they were ever presented to the Senate.

On February 20th, President Buchanan transmitted to Congress eight memorials, which he had received from "our fellow-citizens 'residents for the most part at and near the eastern slope of the Rocky Mountains'", and of which he sent four to the Senate and four to the House. "In transmitting these memorials to Congress", said he, in his special message upon the subject, "I recommend that such provision may be made for the protection and prosperity of our fellow-citizens at and near the eastern slope of the Rocky mountains, as their distance and the exigencies of their condition may require from their government." In these memorials, which were alike as to their text, and which bore the signatures of several thousands of men, the difficulties and disadvantages by which the Pike's Peak settlements were surrounded, and the reasons for their need of immediate relief at the hands of Congress, were set forth in much the same manner and language in which they had been stated in the petition from the "Jefferson" Legislature. But the programme proposed by these memorialists for establishing a lawful government in the new mining-region differed a little from that of the Legislature, as indicated in the following extract from the President's special message:

"These memorialists invoke the interposition of Congress and the Executive for 'the early extinguishment of the Indian title, a consequent survey and sale of the public lands, and the establishment of an assay office in the immediate and daily reach of the citizens of that region'. They also urge 'the erection of a new Territory from contiguous portions of New Mexico, Utah, Kansas, and Nebraska', with the boundaries set forth in their memorial. They further state, if this request should not

be granted: "That (inasmuch as during this year a census is to be taken) an enabling act be passed, with provisions, upon condition that if, on the 1st day of July, 1860, thirty thousand resident inhabitants be found within the limits of the mineral region, then a territorial government is constituted by executive proclamation; or if, on the 1st day of September, 1860, one hundred and fifty thousand shall be returned, then a State organization to occur."

These memorials had been prepared and signed at the instance of S. W. Beall, a Denver pioneer, who, on December 27, 1859, had been employed by the Denver City Town Company to

"proceed to Washington City and represent the Special interests of Denver City in the National Capital During the present Session of Congress and before the Heads of Departments in the location of a post office also the Indian agency, Military posts and an Essay office and any other matters that he may be requested to attend by the citizens of Denver."

In Beall's memorials, as well as in that of the "Jefferson" Legislature, it was proposed and urged that the contemplated new political division should embrace the country lying between the 37th and 43d parallels and the 102d and 110th meridians—which were the bounds of "Jefferson Territory". This area extends two degrees farther north and one degree farther west than that which finally became the Territory of Colorado and later the present State.

In the course of their recitals and arguments the President's memorialists said:

" . . . That this region has not and cannot have peaceful political affinities with these four Territories [Kansas, Nebraska, New Mexico, and Utah], is too obvious to admit of reasoning. . . . The acts of the legislature of Kansas, intended to establish jurisdiction [in the wild western end of that Territory], having no validity, are disregarded as of no avail. The hardy, industrious miner, in pursuit of discovery, exists in hourly peril of his life; while the acts of the provisional government, and the authority of vigilance committees, existing alone by public opinion, arising from some extreme necessity of social disorder, are soon disregarded as powerless and inefficient."

In his message to Congress at the opening of that session, President Buchanan had made no recommendation as to legislation for the organization of new Territories. However, he made use of the occasion to say:

"I cordially congratulate you upon the final settlement by the Supreme Court of the United States of the question of slavery in the Territories, which had presented an aspect so truly formidable at the commencement of my administration. The right has been established [by the court's decision in the Dred Scott case] of every citizen to take his property of any kind, including slaves, into the common Territories belonging equally to all the States of the Confederacy, and to have it protected there under the Federal Constitution. Neither Congress nor a Territorial legislature nor any human power has any authority to annul or impair this vested right. The supreme judicial tribunal of the country, which is a coördinate branch of the Government, has sanctioned and affirmed these principles of constitutional law, so manifestly just in themselves and so well calculated to promote peace and harmony among the States."

Nevertheless, some of the anti-slavery members of Congress persisted in their belief that there *was* human power with authority "to annul or impair this vested right", and that the National Legislature possessed enough of it to exclude slavery from Territories.

No Territorial measure was taken up for actual consideration in either house of Congress until the ensuing spring was far advanced. As the time

of two months had been consumed in the contest in the House over the election of a Speaker and in completing the working organization of that body, all business of the session was greatly in arrears. Moreover, much political rancor had been engendered by the strife, and the vanquished side was strongly disposed to prevent, if possible, all legislation that might have a political bearing.

It was not until April 3d (1860) that another attempt to transact Territorial business was made in the Senate. On that day, Senator James S. Green, of Missouri, Chairman of the Senate Committee on Territories, reported from that committee two bills: one for the organization of "Arizona Territory", and the other (Senate bill No. 366) "to provide a temporary government in the Territory of Colorado" (in the Pike's Peak country). Both contained a provision to the effect that when the proposed Territories should be admitted into the Union they might "come in with or without slavery". They were read and passed to a second reading, but neither received any further attention, nor did the Senate act upon any other proposition for a new Territory, during that session. However, Senate bill No. 366 eventually became the basis of the organic act for Colorado Territory.

The first Territorial measure submitted to the House of the Thirty-sixth Congress was a bill to provide for the organization of the "Territory of Arizona", introduced on February 16, 1860, by Delegate Miguel A. Otero, of New Mexico, and which went to the Committee on Territories, of which Representative Galusha A. Grow (of Pennsylvania) was Chairman. But no further Territorial business was transacted by the House until May 1st, when Chairman Grow arose and said:

"I desire to ask the consent of the House to allow the Committee on Territories to report certain bills for the organization of Territorial governments for Territories. I desire to have the bills printed, and recommitted to the Committee on Territories. What I want is, that the House will allow such bills as the committee will ask the action of the House upon during the days set aside for the consideration of Territorial business to be printed; and, in order to enable the Clerk to keep his numbers properly, they should be made as reports, ordered to be printed, and then recommitted to the Committee."

This was agreed to, and May 7th and 8th were set aside for consideration of the bills, which now stood as having been reported and recommitted to the Committee on Territories. But when the time came the business was postponed until the 10th and 11th. On the 10th, Chairman Grow reported back "a bill to provide a temporary government for the Territory of Idaho" (for the Pike's Peak people), and which was read twice. Mr. Grow informed the House that "as all these bills for the organization of Territories are alike, except as to the names, I propose to take one of them as a test, and let whatever course the House shall take in regard to it apply to all the others"—the others being for the proposed Territories of "Arizona", "Nevada", "Dacota", "Chippeway". Mr. Grow remarked that he believed the "Idaho" bill "to be the most meritorious of the whole number".

Several amendments to the bill were offered immediately, and in some of these the temporizing policy of that time with respect to slavery was reflected sharply. Representative John B. Clark, of Missouri, one of the minority members of the Committee on Territories and acting in behalf of

the minority, at once moved to strike from the bill the proviso, "That whereas slavery has no legal existence in said Territory, nothing herein contained shall be construed to authorize or permit its existence therein", and to insert in its stead the following:

"Provided, That the Legislature of said Territory shall not, by any legislation whatever, establish or prohibit slavery in said Territory, or annul or impair the rights of slave or other property therein, recognized by the constitution of the United States."

Representative Lucius J. Gartrell, of Georgia, proposed for the committee's proviso a substitute that was a little stronger in tone than Clark's, and which follows:

"Provided, That nothing herein contained shall be so construed as to authorize the Legislature of said Territory to pass any law abolishing slavery in said Territory or to prohibit the introduction of slavery therein, or to exclude slaves therefrom, or to destroy or impair the right of property in slaves, by any legislation whatever."

Representative Garnett B. Adrian, of New Jersey, passed up an amendment which declared that it was

"the true intent and meaning of this act, not to legislate slavery into said Territory, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institution of slavery in their own way, subject only to the Constitution of the United States".

Representative David Clopton, of Alabama, moved to strike out the committee's proviso and substitute the following:

"Provided, That no law shall be passed annulling or impairing the right of any citizen of the United States to take into, use, or enjoy, in said Territory, any property recognized as such by any State of the Union, or by the Constitution of the United States."

The Dred Scott decision already had (in 1857) practically confirmed the "principles" of the proposed amendments.

After these had been submitted, Representative Eli Thayer, of Massachusetts, who was opposed to the Territorial programme, presented an amendment which virtually was a new bill. It struck out all after the enacting clause, proposed to abolish the Territory of Utah, which had been organized in 1850, and divide the country that is now the States of Colorado, Utah, and Nevada into the "Jefferson Land District" and the "Nevada Land District", each of which was to have a Surveyor-General and a Register and Receiver. The land office for the Jefferson division was to be at Denver City and that for the Nevada at Genoa. The amendment also provided that

"the people of each of the land districts above described, whenever they shall have formed a temporary government, shall be entitled to one Delegate in Congress, who shall receive the same compensation, and enjoy the same privileges, as a delegate from a Territory; and that so much of said Jefferson land district as is now within the limits of the Territories of Kansas and Nebraska shall be, and is hereby, excluded from the operation of the act organizing the Territories of Kansas and Nebraska, except so much thereof as repeals the Missouri compromise".

As the Missouri Compromise had forever prohibited slavery in the western territory lying north of latitude 36 degrees 30 minutes (the latitude of the southern line of the State of Missouri), its repeal threw that

territory open to slavery, should the people thereof desire to establish the "peculiar institution" in such States as might be formed therein. Therefore, this clause in Mr. Thayer's proposed amendment would have kept the Jefferson District open to slavery, but by negation excluded such bondage from the Nevada division.

After these proceedings, further consideration of this "Idaho" bill was postponed until May 12th.

On May 11th, Chairman Grow reported from his committee five Territorial bills, one of which was for our "Idaho," the others being for "Arizona", "Nevada", "Dakota", and "Chippewa". The "Idaho" bill of the 10th contained a provision giving the Territorial Legislature the power to pass bills over the Governor's veto, by a two-thirds vote, but in the one now reported the Legislature might override a veto by a majority vote, instead of two-thirds, a change that made it technically a different measure; and which also was a bit of sharp parliamentary-practice. So there were now two Idaho bills before the House. Addressing the House, Mr. Grow said:

"We propose to organize the northern portion of the Territory of Nebraska, and what is now called Dakota, into a Territory with the name of Chippewa. We propose to organize a Territory out of the other portion of Dakota and a portion of Nebraska, by the name of Dakota. The territory included in the Pike's peak region we propose to call Idaho. Out of the western portion of Utah, we propose to organize a Territory under the name of Nevada; and another, from the western portion of New Mexico, under the name of Arizona."

All of these bills carried the same anti-slavery proviso that was contained in the postponed "Idaho" bill, of the 10th. The second bill for that Territory was the first reported on May 11th, and having been read twice, was taken up for discussion, after Mr. Grow formally had entered a motion to recommit it to his committee. In answer to an inquiry, he said:

"I am asked, what is the meaning of 'Idaho'? It is an Indian name signifying 'Gem of the Mountains'. I would have preferred the name 'Tehosa', which means 'Mountain Peaks', so that we should have the dwellers on the mountain peaks from this Territory."

Mr. Grow gave no hint as to the identity of the person who persuaded him to give up "Tehosa" (said by others to signify "Dwellers on the Mountain Peaks") and adopt "Idaho" in its stead. Continuing his remarks upon the "Idaho" bill, which was his pet measure among the lot, he said:

"Idaho, an Indian name signifying 'Gem of the Mountains', is the name the Committee propose for the Territory composed of part of what is now included in the Territories of New Mexico, Utah, Nebraska, and that portion of the Territory of Kansas not included within the limits of the proposed State of Kansas; bounded on the north by the 41st parallel of north latitude; on the east by the 102d meridian; on the south by the 37th parallel of north latitude; and on the west by Green river; containing about 125,000 square miles, and a population of from 15,000 to 20,000.

"Now, in regard to the population of this Territory of Idaho, commonly called Pike's Peak, fifteen thousand American citizens have been thrown into that wild region, and are left to rely upon mob law for their own protection. They are under the sole and exclusive jurisdiction of the Congress of the United States; and is it not a dereliction of duty for Congress to leave any portion of American citizens exclusively under its jurisdiction without the safeguards of law and the protection

of an organized government? By organizing this system of Territorial courts, officers and civil government are provided for these pioneers. . . .

"Congress organizes a government and pays its expenses, because the first settlers who go into a new Territory to people the wilderness are not able, either in numbers or wealth, for some years at least, to pay the expense of supporting an organized government. . . .

"It seems to the Committee on Territories that it is the duty of the House to provide temporary governments for the people who have been lured to the base of the Rocky Mountains in large numbers in the pursuit of gold, as well as for that other numerous people at the base of the Sierra Nevada. . . ."

There was a prolonged debate upon the bill. Some members insisted that there was no necessity for organizing so many Territories, but thought a government for "Arizona" to be the only one that the circumstances of the time required. However, the slavery question was the principal bone of contention, and the pro-slavery members together with the northern temporizers constituted a majority. Among the vigorous supporters of the bill was Representative Samuel R. Curtis, of Iowa, who, in the course of a brief speech, said:

"There are more than a thousand persons daily crossing the Missouri for the purpose of making their homes in the Rocky Mountains. Shall they go there without any laws to protect them? Shall they have no benefit of civil government; and stand day and night in fearful apprehension of the robber and assassin? . . . Is it not the duty of Congress to provide for the safety of their hearths and homes? Many have lived there for the last two or three winters and summers, struggling for the purpose of developing the rude, uncultivated wilderness, and to carve out mountain homes in the groves and golden gorges of the Sierra Madre. They have been there without law; without your protection; without an army, and without aid; and they are compelled to sit, night and day, without compensation, or a kind look, from the country to which they hold allegiance, to guard their property and persons, their wives and little ones, from the dangers that surround them."

Here, Representative James Craig, of Missouri, interposed the remark: "I only desire to say that I would vote for all these bills, if my constituents were allowed to take their negroes with them into these Territories". To this, Mr. Curtis responded:

"Now I hope that the gentleman from Missouri will not interrupt the progress of the West—will not interrupt the settlement of the country directly west of his home, a country which now has from ten to fifteen thousand inhabitants in it—merely for the consideration of protecting negroes. It is for the white men who are there that I want protection. I am sorry that the negro question has been in any way, either directly or indirectly, introduced into these bills. But since it is there, let it come up for a fair hearing, and let a vote be taken on it."

Representative John A. Bingham, of Ohio, now obtained the floor and reported a bill to repeal that part of a law recently enacted by the New Mexico Legislative Assembly recognizing slavery in that Territory, and upon which he demanded the previous question, under which it passed the House, amid great excitement and confusion. While the Senate took no action upon it, its passage by the House so incensed the southern members that they resolved to kill all the pending measures for new Territories. In this they were aided by some northern men, among whom was Representative Thayer, who wanted "Land Districts" instead of Territories, and who had been elected as a Republican member. He moved that the bill be laid upon the table, which motion prevailed by 102 ayes to 73 nays, and which ended the brief career of this "Idaho" measure. Mr. Grow then

reported successively his committee's bills for the four other Territories, and each in turn was ordered to be laid upon the table, by a vote substantially the same as that upon the "Idaho" proposal.

Most of the members of the House were surprised when, on the next day (May 12th), Chairman Grow called up for further consideration the "Idaho" bill of May 19th. They supposed that they had laid away all projects for organizing new Territories by the tabling proceedings on the 11th. But it was not so. The slight change in the text of the second "Idaho" bill having made it a different measure, and as further consideration of the first had been postponed to the 12th, the latter was now due to be taken up in the regular order of business. Mr. Grow was accused of having practiced deceit and trickery, but as parliamentary law and the rules of the House sustained him in what he had done the bill had to be taken up. In reply to the numerous protests against his methods of procedure he said:

" . . . I wanted the House to take this bill, where there are fifteen or twenty thousand people without a government, and establish some system of government for them; and when they had considered the case of this people, as the most meritorious of all the cases to be presented, I proposed to be governed by their decision. Hence I introduced the bill yesterday, after the refusal of the House to consider first the existing Territories, for the organization of the Territory of Idaho, supposing that, if any one did not want the bill introduced, he would object; because a similar bill was postponed for to-day. I thought, if you wanted new Territorial governments, I was entitled to have the sense of the House upon the most meritorious one, instead of taking one of the least meritorious."

Having heard expressions of "the idea that the people of a Territory of the United States can form a government without first having authority of Congress", and of an assumption that the Pike's Peak people needed no action by the National Legislature, because they had already set up and were living under an organized government, Mr. Grow went on to say:

"Here are fifteen or twenty thousand people without any government, except such as they make for themselves without any authority of any recognized law-making power. It is the most chimerical idea ever heard of, that any number of people may go into our Territories and build up a government outside of the jurisdiction of the United States, and without its authority. If they can do that, they can go on and annex themselves to any Government upon earth. If they have no authority from Congress for their action, then they are outside of your jurisdiction, and no man can present a case in the local courts that he can bring before the courts of the United States. There is no provision for an appeal to the United States courts, and cannot be until a law of Congress passes to organize the Territory, or in some other way to give them that authority. . . .

" . . . You have in Idaho a portion of territory cut off by the organized State government of Kansas. The people . . . are really without a government, if Congress does what I believe it is its duty to do—give to the people of Kansas its own State government, that they have formed, and ratified as the ballot-box [Kansas entered the Union in the following January]—then these people in Idaho will be outside of any organized government. They are now so, in reality, if not in theory. They would be compelled now to travel six hundred miles to get to the seat of government within the jurisdiction of Kansas. Is it just that these fifteen or twenty thousand American citizens, who have gone forth into the wilderness to drive out the savage and the wild beast, and to build up a great empire for you and your children, should be left with no protection save mob law? Is it discharging the obligations which you owe as men to your fellow-citizens, and as legislators of a great empire, to leave them without an organized government?

"I leave this bill to the House, to do with it as they please; trusting to their

good judgment and sense of duty to furnish this people a legal government for the protection of their rights."

In the debate that followed, and which continued far into the afternoon, the "slavery question" was the principal subject, and was threshed over and over again by some of the members, as the bill contained the same proviso with respect to slaves as that which was carried by the "Idaho" measure that had been tabled on the day before. Others thought there was no immediate necessity for organizing a new Territory in the Pike's Peak country, pointing out that the region still was under the jurisdictions of existing Territories. "Every foot of it is within the Territories of Kansas, Nebraska, New Mexico, and Utah." Finally, Representative George S. Houston, of Alabama, moved to lay the bill upon the table. The yeas and nays being demanded, the motion was carried in the affirmative by a vote of 91 to 82. Representative James H. Thomas, of Tennessee, then moved to reconsider the vote; and also moved to lay the motion to reconsider upon the table. The latter motion was agreed to.

After this bottling-up of the first "Idaho" bill, no further attempts were made in the House during that session to organize new Territories; and the Pike's Peak people were left to do the best they could under their home-made government of "Jefferson Territory".

"An Act making Appropriations for the Current and Contingent Expenses of the Indian Department, and for fulfilling Treaty Stipulations with various Indian Tribes, for the year ending June 30th, 1861", approved June 19, 1860, contained the following clause:

"For the purchase and transportation of provisions and presents, and to meet expenses necessary in holding a council with the Arapahoe and Chienne Indians south of the Platte, east of the Rocky Mountains, and north of the Arkansas river, thirty-five thousand dollars."

This appropriation was to provide means for arranging a necessary preliminary to the organization of a new Territory in the Pike's Peak region. The council with the Arapahoes and Cheyennes was held at the Big Timbers, on the Arkansas River, during the following winter, when these Indians ceded to the United States their lands in the district indicated in the appropriation-clause, excepting a reservation, which, in the main, laid between the present Big Sandy Creek and the Arkansas, and which is now included in the areas of our Otero, Bent, Prowers, Kiowa, Cheyenne, Lincoln, and Elbert counties.

When the Thirty-sixth Congress assembled, on December 3, 1860, for its short and last session, the country at large was in a state of deep agitation over the critical political situation, and the Legislatures of two of the southern States, South Carolina and Georgia, already had by law authorized conventions to be held to consider the question of their secession from the Union. However, Congress, anticipating that some means would be devised to avert the threatened national calamity, proceeded with its business in the usual manner.

Although President Buchanan, in his message to that session of Congress, had made no recommendations as to new Territories, the intention of the House Committee on Territories to submit new bills for the organization of Territories was brought to the notice of the House in the second week of the session. On December 12th, Chairman Grow made the following statement:

"The Committee on Territories—and I suppose it is proper to state ~~the~~ ^{pro-}pose, when we have an opportunity, to submit to this House bills for organizing Territories for the people in the region around Pike's Peak; for the people in the region of the Washoe silver mines, called Nevada; for the people of what is called Arizona; and for the people of Dakota Territory, and for the Territory above it; which will cover all the territory of the Nation; and thus arranging the whole matter, we shall get rid of this whole Territorial legislation. And we propose to report those bills in the usual form, except that the Governor's veto may be overruled by a majority of the Legislature; and that, when the people within the limits of those Territories shall amount to twenty-five thousand, they shall elect all their own officers; and until that time, the officers are to be appointed by the President, as heretofore. We thought that twenty-five thousand people would be a sufficient number to maintain a form of government without imposing a burden of excessive taxation; and that they would be capable of electing their own officers to take the place of those appointed by the President."

Representative Samuel S. Cox, of Ohio, here inquired:

"And do they propose the same proviso in respect to slavery that was contained in the former bills? That is the point."

To this, Mr. Grow replied:

"We shall, I take it, report the same proviso as before, with the privilege of any member to move to strike it out: and if a majority is against us upon that question, we propose to vote for those bills. If the majority shall strike the clause out, then you have not a word in the bills against slavery—no reference to it whatever. We propose to leave it to be settled by a majority of the House, whether they will retain that proviso or not: and if a majority say no, it will be out of the bills. Still, we believe that the people should have governments, and should therefore vote to give them governments; for, to-day, there is no doubt that there are at least forty thousand people in what is known as Pike's Peak, and they are there without any government, and with no law but mob law.

"Sir, does the Government of the country discharge its duty to the pioneers who go forth and people the wilderness, in thus leaving them exposed to mob law as their only protection?"

On December 17th, Mr. Grow asked "the unanimous consent of the House to make the usual order setting two days for the consideration of Territorial business". This having been agreed to, the 19th and 20th were set apart for that purpose. He then asked unanimous consent to have the bills for the proposed Territories "numbered and printed in the same manner as if they had been reported". As consent was given, this virtually was a reporting of the measures. On the next day, and in accordance with these arrangements, Mr. Grow presented from the Committee on Territories, "in order that they may be printed", four bills: the first (H. R. No. 887) "to provide a temporary government for the Territory of Idaho"; the others being for the proposed Territories of "Nevada", "Dacota" and "Arizona".

On the first of the appointed days, Mr. Grow had the consideration of Territorial business postponed until the 8th and 9th of January. When the first of these dates were reached, the consideration was put off, at his request, until the 15th and 16th; and then there was another postponement, to the 29th and 30th. However, the bills were not taken up on either of these last-named days, nor was anything said or done in the House about new Territories until another week had elapsed.

At that time the House was much demoralized by the secession movement and by the withdrawal of many of its members representing southern

States. But this was not altogether the cause of the delay, as the Senate, in the meantime, with Mr. Grow's knowledge and approval, had taken action upon a measure to organize a Territory for the Pike's Peak People. On February 6th, the House received notice that "the Senate have passed a bill providing a temporary government for the Territory of Colorado", and in which the House was asked to concur.

The bill that had passed the Senate was the one which had been reported from the Senate Committee on Territories on the 3d of the previous April, and which, with the Senate's bill for "Arizona", had been carried over to the second session as unfinished business.

The first action upon Territorial affairs by the Senate in the second session had been to agree, on December 17th (1860), to a motion by Senator Green, Chairman of the Senate Committee on Territories, to set apart two days of the next week for consideration of Territorial business. In support of his motion Mr. Green had said:

"We have had no hearing of our Territorial business; and it is very important that Congress should take some action, for Dacotah, for Jefferson, for Arizona, Territories, and for the Carson Valley [Nevada] people. I do not pretend to say what we shall press, but I think the Territorial business ought to be considered. I move that Wednesday and Thursday of next week be set apart for it. . . . If the Senate do not take it up then, they will give me some other day."

The "Arizona" bill was taken up on December 27th and considered by the Senate as in Committee of the Whole; and again on the 31st. But the Pike's Peak bill was not reached until January 30th. On that day, Senator Green obtained consent "to take up the bill to provide a temporary government for the Territory of Jefferson, merely for the purpose of making it a special order". Senators Jacob Collamer, of Vermont, and Henry Wilson, of Massachusetts, here suggested that the Senate "go on with it now". As there was no objection, consideration of the bill proceeded. The following is quoted from the Senate's record:

"Mr. Green. 'I have conferred with a gentleman from there who desires a change of 'the boundaries'."

"Mr. Collamer. 'I have that in writing here'."

"Mr. Green. 'I ask for the reading of the bill'."

[The bill was read.]

"The Presiding Officer. 'The bill (Senate No. 366) to provide a temporary government for the Territory of Colorado, is now before the Senate as in Committee of the Whole'."

"Several Senators. 'That is not it'."

"Mr. Green. 'That was the way it was reported last session. This session we agreed to change the name to Jefferson. Now there is an intention to move a different name. I care nothing about the name'."

"Mr. Collamer. 'Will the gentleman allow me to move that change now?'"

"Mr. Green. 'I wish to propose a substitute for the bill. I offer what I hold in my hand as a substitute, because I think it is more simple, and I have made some little changes; one in the boundary, and one in a clause, which I will name to the Senate so they will understand it. This change is to strike out the words, "when admitted as a State, they may come in with or without slavery"'."

"Mr. Collamer. 'In all other respects is it the same?'"

"Mr. Green. 'I think it is; but it may be read and compared. I think it ought to be read; for we want to legislate understandingly. I send to the Chair a substitute for the whole bill'."

[The substitute was read.]

"Mr. Collamer. 'I desire to amend that substitute merely in the name. I

move, at the request of the people of that country, that wherever the name of Jefferson occurs, Idaho be substituted for it."

"Mr. Green. 'Several citizens from there came to me, and desired the name to be Jefferson; and that was the reason I inserted that name; but I care nothing at all about the name. Inasmuch as I promised them to propose the name of Jefferson, I must vote against the Senator's amendment. Idaho is a very good name. In the Indian language it signifies "Gem of the Mountains". Some had proposed the name of Colorado, because the Colorado river is in that region; but Idaho being an Indian name, and its meaning being "Gem of the Mountains", as so much mineral is found there, it may be very appropriate.'"

"The Presiding Officer. 'The question is on the amendment offered by the Senator from Vermont, to strike out "Jefferson" wherever it occurs in the substitute proposed by the Senator from Missouri, and insert "Idaho".'"

The yeas and nays having been asked for, the Secretary proceeded to call the roll. In responding to the call of their names, certain Senators spoke briefly in explanation of their votes, as follows:

"Mr. Douglas. [Senator Stephen A. Douglas, of Illinois.] 'I do not like either name. I prefer to call it Jeffersonia to either. I vote against this amendment.'"

"Mr. Lane. [Senator Joseph Lane, of Oregon.] 'I am sorry that any motion was made to change the name. If it had been Idaho originally, perhaps I should never have objected to it. That is said to be an Indian word, and to have a signification—gem of the mountains. I do not believe it is an Indian word. It is a corruption. No Indian tribe in this nation has that word, in my opinion.'"

"Mr. Collamer. 'I do not understand Indian.'"

"Mr. Lane. 'It is a corruption certainly, a counterfeit, and ought not to be adopted. I vote nay.'"

"Mr. Cameron. [Senator Simon Cameron, of Pennsylvania, who at first had voted in the negative.] 'I change my vote to gratify my friend from Vermont, who understands this subject a great deal better than I do. I have great faith in him.'"

The amendment to make "Idaho" the name of the proposed Territory in the Pike's Peak Country was adopted by 24 yeas to 13 nays. As thus amended, Senator Green's substitute then was agreed to without roll-call, the Senate still acting as in Committee of the Whole.

In its original form, as reported in April, 1860, the bill had provided that the proposed Territory should be bounded upon the east by the 102d meridian (the western line of the then contemplated State of Kansas); upon the north by the 41st parallel; upon the west by the Green and Colorado rivers; and upon the south by the 37th parallel. Excepting the western, these proposed boundaries were the same as those of the present State. At that time, the 37th parallel was New Mexico's northern boundary from California to the Continental Divide. Here the line turned and ran northward by the sinuous course of the divide to the 38th parallel, where it turned again and ran east along that parallel to the 103d meridian, which, for the most part, was, as it still is, the eastern boundary of that Territory. This northward projection of one degree of New Mexico soil, between the divide and the 103 meridian, made a rectangular "notch" in the area now forming our State, and left a small tract, one degree square, hanging down between it and the western line of Kansas, which division had been admitted into the Union on the day before Senator Green called up the "Colorado" bill and submitted his substitute for it. The latter retained the original's eastern, northern, and southern boundaries, but made the 110th meridian the western boundary of the proposed Territory instead of the Green and Colorado rivers. Therefore the area within these bounds still included the New Mexico "notch".

The clause that Senator Green omitted from his substitute was the final provision of the first section of the original bill, and read as follows:

"And provided further, That when admitted as a State, the said Territory, or any portion of the same, shall be received into the Union with or without slavery, as their constitution may prescribe at the time of their admission."

Beyond an ineffective attempt more sharply to define the taxing powers of the proposed Territory's Legislature, further consideration of the substitute bill for the "Gem of the Mountains" went over. On February 2d, there was an agreement to Mr. Green's motion "to take up the bill organizing the Territory of Idaho, merely for the purpose of having it left as unfinished business". "I want", he continued, "to keep it alive; that is all." Its consideration was resumed on February 4th, when Senator Green said that "friends of the Territories of New Mexico and Utah" had suggested some changes in the boundaries, as set forth in an amendment which he passed up to the Secretary to be read. One of these was to make the 109th meridian the western boundary of "Idaho" instead of the 110th. The reason for this change was, as he stated it, that as some of the inhabitants of Utah Territory had settled east of the 110th, the western boundary would, if it remained as it stood, "have a tendency to divide" the people of that Territory; "they had better remain together". He had "no objection to that modification". The other change was to exclude from "Idaho" the New Mexico "notch", and thus to leave the latter under its old jurisdiction. After saying that, while he was opposed to it, he had included this in the amendment which he had submitted because he wanted "the thing all settled", Senator Green continued his remarks:

"The only thing I can say is this: the Delegate from that Territory [New Mexico] says a portion of his people—natives of New Mexico, speaking that language—have settled up there [in the "notch"], and he wants a homogeneous people all kept together. There is some force in that; but still, I think, in pareeling out and shaping Territories and States, we ought to have reference to the permanent good of the Territory, rather than a temporary accommodation."

Without roll-call, the western boundary of the proposed Idaho Territory was changed from the 110th meridian to the 109th, but the proposition to permit New Mexico to retain the "notch" was not adopted. The bill when it finally became a law defined the boundaries as thus fixed, and which were the same as those of the State of Colorado. The phraseology of a clause in section 6, relating to taxation, then was rectified; and of what followed next, I quote from the record:

"Mr. Wilson [of Massachusetts]. 'I move to amend the name of the Territory by striking out "Idaho" and inserting "Colorado". I do it at the request of the delegate from that Territory, who is very anxious about it, and came to see me to-day to have that change made. He said that the Colorado river arose in the Territory, and that there was a sort of fitness in it; but this word "Idaho" meant nothing. There is nothing in it.'"

"Mr. Green. 'The name of "Idaho" was put in at the instance of the Delegate from the Territory.'"

"Mr. Wilson. 'He has change his opinion.'"

"Mr. Green. 'But I prefer Colorado. It is more appropriate and more harmonious. . . . I prefer that name, and will vote with the Senator.'"

Senator Wilson's amendment was adopted immediately, and the name it proposed became that of the new Territory.

The amendments accepted as in Committee of the Whole now were concurred in by the Senate, and the bill was read the third time. It was then passed (on February 4th) without roll-call. At that time six States had seceded and their twelve Senators had withdrawn.

At this juncture a new delegate from the Pike's Peak region appeared in Washington. On February 5th, Representative John F. Farnsworth, of Illinois, arising in the House to a question of privilege, said he desired "to present the certificate of Honorable Charles L. Morgan, elected as Delegate from the Territory of Idaho", and asked that the credential be referred to the Committee on Territories. Mr. Cox (of Ohio) objected, saying "there is no such Territory in existence." But the Speaker thought the certificate could be received, under the rules, as a memorial, and so admitted it and passed it to Mr. Grow's committee, which took no action upon it. Delegate Morgan had been elected by a faction which had "seceded" from the home-made "Jefferson Territory" and had held a convention at Central City on October 24, 1860, to form a temporary local governmental organization to bridge the gap between existing conditions and the advent of lawful government, under the authority of Congress. Holding, or pretending to hold, that Mr. Williams had been elected to represent the Pike's Peak people only in the first session of that Congress, they had sent Mr. Morgan to serve in that capacity in the second session. Some further particulars of the doings of these seceders appear in the next chapter of this volume. Notwithstanding the presence of a rival delegate, Mr. Williams continued to be the recognized representative of the Pike's Peak people at Washington until that session of Congress adjourned.

As I have mentioned several pages back, the House received notice on February 6th of the passage of the "Colorado" bill by the Senate. On the next day, Mr. Grow, Chairman of the House Committee on Territories, asked and received the consent of the House to have the bill printed. Two days later, an amendment, submitted by Mr. Cox, also was ordered printed. On the 11th, the cause of the Pike's Peak people received some outside support in the form of joint resolutions, by the Legislature of Nebraska Territory, strongly recommending the organization of the "Territory of Jefferson". These, by unanimous consent, were presented to the House by Samuel G. Dailey, the Nebraska Delegate, and were referred to the Committee on Territories.

No further action was taken upon the Senate bill for "Colorado" by the House until February 18th, when Mr. Grow took the floor and said that he desired "to take up Senate bill No. 366 to provide a temporary government for the Territory of Colorado, in order to put it on its passage." In response to several requests, the bill was read informally; and when it had been read, Representative Daniel E. Sickles, of New York, remarked that he had wanted the bill read for the purpose of seeing "if the Wilmot proviso was in it", and that he had noticed that "that principle is abandoned". This was the provision, contained in House bills for a Territory in the Pike's Peak country, "That whereas slavery has no legal existence in said Territory, nothing herein contained shall be construed to authorize or permit its existence therein." It did not appear in the present Senate bill. The rules having been suspended, by a vote of 110 to 37, upon the motion of Mr. Grow, and the bill having been read a first and second time, he arose and said:

"According to an agreement had with the Chairman of the Senate Committee on Territories, and in order to make this bill correspond with two bills pending in the Senate for the organization of other Territories, I offer the following resolution:

"In section nine, strike out the following: "Except only that, in all cases involving title to slaves, the said writs of error or appeals shall be allowed and decided by the said supreme court, without regard to the value of the matter, property, or title in controversy; and except, also, that a writ of error or appeal shall also be allowed to the Supreme Court of the United States, from the decisions of the said supreme court created by this act, or of any judge thereof, or of the district courts created by this act, or of any judge thereof, upon any writ of *habeas corpus* involving the question of personal freedom"'. "

After a brief interruption and in reply to a question. Mr. Grow continued:

"We are acting on a Senate bill to organize the Territory of Colorado, which was called Idaho in the bill reported in the House. The Committee on Territories in the Senate have reported two other bills—one for Nevada and one for Dakota. . . . As there is nothing said anywhere else in the [Colorado] bill in regard to slaves, then this extract should be struck out. If we are to organize a government for this people, we ought to do it in a way to secure for them a government by passing a bill which will meet the approbation of the legislative and executive departments of the [National] Government. . . .

"That portion of the Territory comprising what remained of Kansas Territory, according to the returns of the census taken five or six months ago, as furnished me by the Superintendent of the Census, contains a little rising of thirty-four thousand inhabitants. That taken from New Mexico, from the best evidence I can obtain—for the census returns as yet furnish no data—contains about two thousand five hundred or three thousand inhabitants.

[Miguel A. Otero, Delegate from New Mexico, here interjected: "Seven thousand."]

"That is the gentleman's opinion. There are no census returns, and I believe will not exceed three thousand. The portion taken from Nebraska contains three, four, or five thousand. So that the whole Territory, from the best information I have, will contain a population of from forty-five to fifty thousand; more than were residing in the Territory of Oregon when it was admitted into the Union as a State. Here, sir, is a population, as I have said, of forty-five or fifty thousand, living under the control of no organized government, and acknowledging no law but that of the bowie knife and revolver.

"I now move the previous question on the third reading of the bill."

Some protests against attaching any part of New Mexico to Colorado Territory having been made, Mr. Grow said in rebuttal:

"Now, sir, the Committee on Territories have had this matter under consideration for the last three sessions of Congress, and they have uniformly agreed that the boundaries now fixed were proper ones. And why? If you take their social relations as a political community—having no reference, of course, to party politics—you will find that there is a large tract of land, comprising the headwaters of the Arkansas and Red rivers [the sources of the Red were not commonly known in the States even in so late a period as this], containing much arable soil and some gold and mining resources. . . . I will say, that within the last year a large number of persons have gone down there from the Pike's Peak region, and I believe number more to-day than the Mexican population who reside there; so that, in that point of view, there is certainly no reason for not detaching them from New Mexico, when the geography of the Territory requires it shall be done, and every other consideration corresponds."

Delegate Otero pleaded with Chairman Grow to permit him to submit an amendment "which will leave that portion taken from the Territory of New Mexico within its present jurisdiction", and made an able speech against the despoilment of his Territory. Mr. Cox insisted upon consid-

eration of the amendment he had offered, which would have made all the officers of the new Territory elective by the people and restored to New Mexico the area that the bill detached from her domain. Several members favored the changes urged by Otero and Cox, but Mr. Grow, in full control under his motion for the previous question, would not consent to a vote upon them. His resolution to strike out from section 9 the clause relating to cases involving title to slaves was adopted, after some feeble attempts at filibustering by the opposition, by a vote of 87 to 52. The bill then was put upon its passage, and was passed by 90 ayes to 44 nays. Mr. Grow followed with a motion to reconsider the vote by which the bill was passed, and also moved to lay the motion to reconsider upon the table. Agreement to the latter clinched the House proceedings.

The bill now was returned to the Senate for concurrence in the elision from section 9. But in the meantime some unfriendly Senators had started a movement yet to defeat it. On February 5th, Senator Alfred O. P. Nicholson, of Tennessee, had moved "that the Senate reconsider the vote on the passage of the bill to provide a temporary government for the Territory of Colorado". Consideration of the motion was postponed until the next day, when, at the instance of Senator Douglas, the motion was taken up and agreed to. A prolonged discussion then ensued. Senator Benjamin F. Wade, of Ohio, was the first to speak:

"I hope the vote will not be reconsidered. That bill, settling, so far as this body is concerned, a very disputable matter, has already passed, and gone to the House of Representatives; and I hope that we shall not have it up again. . . ."

Senator Green also protested against reconsideration, saying:

"The bill is plain and simple in its provisions, containing nothing that infringes upon the peculiar views of anybody; and for that reason, I hope the bill will be permitted to stand as the judgment of the Senate; and that the people of Pike's Peak, numbering sixty thousand, may have government and protection according to law. . . ."

In reply to some remarks by Senator Douglas, Mr. Wade said:

". . . . I do not mean to say that the bill satisfies me; but it was a matter of compromise among us. I did not like it very well; but it was necessary that provision should be made for the people of that Territory, and therefore we agreed upon the bill, such as it was, as a compromise. . . ."

Senator Douglas was the leader of those who favored reconsideration. After intimating that the bill had been put through the Senate under an agreement between Democratic and Republican Senators that had a dishonorable savor, he went on to say:

"In the first place, I object to the boundary named in the bill. This boundary cuts off a large portion of New Mexico, and annexes it to the new Territory of Colorado. The portion thus cut off is New Mexican territory, and formerly belonged to the Republic of Mexico. The land titles are derived from that Government; the inhabitants are mostly Mexicans; they are governed by Mexican laws and usages entirely incompatible with the laws we are in the habit of making for our own people; and I see no reason why they should thus be separated. Besides that, there are strong reasons why it should not be done. By the laws of New Mexico that [the "notch"] is slave territory. Slavery exists there by law to-day. This is detaching that portion of slave territory, a piece of country occupied by men of Mexican birth and habits, entirely identified with New Mexico, and not with the new Territory of Colorado, and attaching it to the new Territory of Colorado. What is to be the con-

dition of that territory [the "notch"] by being incorporated into Colorado? Is the effect of this bill to abolish slavery in [the] part of the Territory [Colorado] thus cut off from New Mexico, and to make it free territory? Is that the compromise that has been made? If so, so far as the question of slavery is concerned, I do not feel disposed to interfere; but I find, after it is thus cut off, a peculiar provision is inserted that the Territorial Legislature shall pass no law destroying the rights of private property. What is the meaning of that? Does it mean that the Territorial Legislature shall pass no law whereby the right to hold slaves, according to the laws of New Mexico, shall be abolished? Is that the object? Certainly there is some object in inserting that provision. The Senator from Missouri [Mr. Green] had some object in putting that provision in the bill. If it has been the result of a compromise, by which the Republican side agreed that this slave territory shall be incorporated into the other Territory, and that the Territorial Legislature [of Colorado] shall never exclude slavery from it—if that is their agreement, I do not wish to interfere with it; but I have a further objection to that clause. At first, it struck me as harmless; but I have a further objection. That clause, declaring that the Territorial Legislature shall pass no law destructive of the rights of private property, deprives the Territorial Legislature of the power of laying out a road, a county road, a Territorial road, a railroad, or any description of highway. They must have the right to condemn private property for public purposes, in order to be able to make means of communication. It seems that, in your zeal to deprive the Territorial Legislature of the power of excluding slavery, you go so far as to deprive them of the power of making roads of any kind in that Territory. . . ."

In the course of his reply to the remarks of Mr. Douglas, Senator Green said:

" . . . Honorable gentlemen have conferred together, and they have concocted a bill which is unexceptionable in all respects; and if honorable gentlemen cannot do that, then I do not know what legislators are sent here for. It is better to meet together outside of the Senate, in the committee-rooms, than to come in here and consume time in debating it. . . . Sir, this bill is plain and simple in all its features. It brings up no exciting subject of dispute; it stirs the passions of no section of the Union: it simply gives organization—organism to a people entitled to it. On the subject of the proposed southern boundary of this Territory, cutting off a portion of New Mexico, I must be permitted to make this remark: that I thought it ought not to be cut off; but at the same time I was compelled to say that I thought so simply from my desire to please the Delegate from that Territory; and that the proper division of the territory required it to be cut off. It does not cut off five inhabitants, according to my opinion, and not a single 'nigger' [Laughter]. The idea, therefore, of throwing slave property into a new organization, where it is doubtful whether it will be protected, or not, is 'all in my eye'. There is not a word of truth in it. There is not a slave in it. I am told by the Senator from New York that there are only twenty-four in the whole of New Mexico. Up there around Fort Massachusetts, north of 37 degrees, there is not one single slave.

[Senator Collamer here interjected the remark: "Twenty-four is the number that appears by the census returns".]

"I understand [Mr. Green continuing]. Now, Mr. President, here are Union-loving and Union-saving people petitioning and begging for 36 degrees 30 minutes to be the line between the slave and non-slaveholding territory. If we are all so keen for 36 degrees 30 minutes, when I agree to 37 degrees I am surely not doing very wrong. But one word beyond that. This bill does not prohibit slavery anywhere, and it does not establish slavery anywhere: it is a perfect *carte blanche*. It is without expression on the subject either way. The Senator [Mr. Douglas] says that there is a very peculiar provision put there, 'that no law shall be passed impairing the rights of private property'. If there is not such a provision in every constitution in the thirty-four States of this Union, I am deceived; and if the Senator the other day did not say he took no exception to that, I am deceived again. . . ."

In his rejoinder to Mr. Green's defense of the bill, Senator Douglas said:

"Those boundaries, in my opinion, are wrong, because they divide New Mexico. Whether any of the negro slaves returned by the census are in that part of the Territory or not, I do not know, nor does he [Mr. Green]: hence he cannot assert, with any more knowledge of the truth, that they are not within that part of the Territory, than I can that they are. I do not know, nor does he. It is slave territory by law; and there is a provision in this Territorial bill [for Colorado], that they shall not destroy private property. Now, sir, if the provision was not intended to apply to the slavery question, what is it put there for? The Senator is mistaken in supposing that there is the same provision in the State constitutions. The provision of the State constitutions is, that private property shall not be taken for public uses without full compensation. If he will put in that clause, he will bring it within some known principle of legislation. But here is a provision that private property shall not be taken for any purpose, with or without compensation. What is it put there for? The Senator from Ohio [Mr. Wade] says 'compromise'. . . ."

So the debate upon the southern boundary of "Colorado" and also upon the "peculiar provision" ran on and on. Finally, Senator William M. Gwin, of California, introduced the following new and quite different reasons for recalling the bill:

"I will vote to reconsider, because I have been cheated out of the name. The Territory in which the Colorado river is, through which it runs, I think ought to have the name of Colorado. I think it is the handsomest name that could be given to any Territory or State. I am going to vote to reconsider, in order to strike that name out. That is my objection to the bill. I want to give that name to the Territory of Arizona."

Immediately after Mr. Gwin's remarks, the question was taken by yeas and nays, and the Senate refused to reconsider the vote on the passage of the bill, by yeas 31, yeas 10; the vote of Senator Wilson, of Massachusetts, being among the latter.

On February 19th, the House notified the Senate that it had passed the Senate's bill for "Colorado" with an amendment, and asked the upper house to concur therein. But the bill as amended was not taken up in the Senate until February 26th. After the House amendment, eliminating from section 9 the clause relative to cases involving title to slaves, had been read, Senator Douglas arose and said:

"The bill seems to have been based on the theory of striking out the word 'slavery', or 'slave', wherever they appeared in former bills. In pursuance of that theory, they have stricken out, in the first section, the words:

"And that when the said Territory shall be admitted into the Union as a State, it shall be received with slavery or without, as its constitution may prescribe at the time of admission."

"As the bill stood when the Senate passed it, the decision of the Territorial Court on a question affecting slave property could be appealed to the Supreme Court of the United States. By this amendment the right of appeal is taken away; and the decision of the Territorial Courts is made final and conclusive in regard to the question of slave property.

"The Territorial judges are to be appointed by a Republican President, and the presumption is that they will be men who will agree with their [the Republicans'] theory of the slavery question. They will appoint Territorial judges who hold the doctrine that there is no such thing as a right of property in slaves. They having the power to appoint all judges, and intending to exercise that power so as to have judges of their own way of thinking, of course they will have a decision adverse to slavery in every instance."

Mr. Douglas also pointed out that the organic act for the Territories of Kansas and Nebraska, which was passed in May, 1854, had provided for such appeals to the Supreme Court of the United States, without serious

objection by any one. But the majority of the Senators were not moved by his remarks, and the debate was not greatly prolonged. By a vote practically the same as that which had defeated the motion to reconsider, the Senate concurred in the House amendment. The bill went to the President on the next day, and on the 28th (of February) the two houses of Congress received notice from him that he had signed it.

As a new Territory without an appropriation from the National Treasury would turn out to be a shadow rather than a substance, the following provisions financing Colorado Territory were hurriedly inserted in the pending appropriation bill for sundry civil purposes, for the fiscal year beginning on July 1, 1861, and which was signed by the President on March 2d:

"For salaries of Governor, three judges, and Secretary, ten thousand five hundred dollars.

"For contingent expenses of said Territory, one thousand five hundred dollars.

"For compensation and mileage of the members of the Legislative Assembly, officers, clerks, and contingent expenses of the Assembly, twenty thousand dollars."

The Senate bills for organizing the "Territories of Nevada and Dakota" also were passed at that session of Congress, immediately after the final action upon the Colorado measure, and were signed by the President on March 2d. But the pending bill for "Arizona" failed to be taken up for conclusive consideration.

As Senator Douglas had stated, the organic act for Colorado (which is appended to this chapter) is dumb as to slavery, unless the "peculiar provision" for preserving the rights of private property (see section 6, of the organic act) might have been construed as applying to slave property. So, also, as to the acts for Nevada and Dakota, which contained the same clause. Slave-owners were at liberty to take their servants into any of the three new Territories and there to hold them without lawful molestation; while that part of Colorado which had been detached from New Mexico legally and actually was slave soil, under a law enacted by the Legislative Assembly of that Territory in 1859. A few slaves were brought into Colorado from the States in 1861.

There has been much discussion in our State as to who first suggested "Colorado" as a name for our division of the Union, and which Senator Gwin thought to be "the handsomest name that could be given to any Territory or State". Each of several men have claimed the honor. But it is in Senator Green's bill, reported in April, 1860, that we find the first record of the use of the word as a name for a Territory of the United States. In a letter received by the present writer several years ago from Mr. Beverly D. Williams, now deceased, but who at that time was living in the city of Little Rock, Arkansas, the pioneer "Delegate from Jefferson Territory" said that he suggested the name to Senator Green before the latter's bill had been drafted. It is quite probable that Mr. Williams' memory was serving him faithfully. Major William Gilpin was prominent among those who took credit for having proposed it. The distinction has been very generally accorded to Senator Henry Wilson; but, as we have seen, he was merely instrumental, at the request of the delegate from the Pike's Peak country (probably Mr. Williams), in restoring the name to Senator Green's bill after both "Jefferson" and "Idaho" successively had been substituted for it. The word is a Spanish adjective, meaning "florid", "ruddy," and, by exten-

sion, rather a deep reddish-brown. The name was bestowed upon the Colorado River because of the discoloration of its water in times of freshets by silt from the reddish rocks of the region it drains. The word is used by makers of cigars to denote an intermediate color-grade of their products, between "Claro"—a light brown, and "Maduro"—darkish, or verging upon black.

A great variety of names for the Territory other than those proposed in Congress had been suggested to the Territorial Committees by citizens of the Pike's Peak country and others. These were "Arapahoe", "Lula" (said to mean "Mountain Fairy"), "Montana", "Nemara", "San Juan", "Yampa", "Wapola", "Lafayette", "Columbus", and "Franklin". Still others were suggested, by another outsider. In a letter written on January 7, 1859, by James R. Snowden, Director of the United States Mint, to Delegate H. J. Graham, at Washington, the former, after reporting to Mr. Graham the result of the assay of some "gold grains" which the delegate had placed in his hands, went on to say:

"Having thus given the information asked for, I beg leave to make a single remark. If gold is to be found in the region of the Park mountains and the branches of the Platte in the quantity your remarks would lead us to expect, it is very evident that a large and enterprising population will soon find their way thither, and hence in a few years the name 'Colona', which has been suggested for that country [by Mr. Colfax's bill of January 6, 1859], will become strikingly misappropriate. May I venture to suggest that some name peculiar to that region be selected? as, for example, 'Arapahoe', or 'Cheyenne'; or 'Platte', or 'Kioway'. If it were not that I prefer any name that will serve to keep in remembrance the aboriginal inhabitants of that country, I would even recommend 'The Parks', 'Pike's Peak', or 'Long's Peak' as more appropriate and desirable than a name which has no local interest, and only expresses a condition of dependence. When it would become a State it would cease to be a *Colonia*."

But, by a happy circumstance, the more appropriate of all was given the new Territory in the organic act. There were some objections to "Jefferson" because it was the name of a man. It was said that, aside from the name of the first President, that of no man should be attached to any subdivision of the Nation. But, notwithstanding the inherent weakness and recognized impotency of "Jefferson Territory", its name had a strong hold upon the sentiments of its people, was in common use, and doubtless was preferred at the time by a large majority of the Pike's Peak population. However, as they were at last to have a duly constituted government, the people were not disposed to find fault with the name under which it was to operate.

President Buchanan might have appointed the executive and judicial officers for the new Territory had he chosen so to do. But he left their selection to his successor. On March 22d (1861), President Lincoln sent a message to the Senate, which was then in special session, in which he nominated for Governor, Major William Gilpin, of Missouri; for Secretary, Lewis L. Weld, of Colorado; for Attorney-General, William L. Stoughton, of Illinois; for Surveyor-General, Francis M. Case, of Ohio; for Marshal, Copeland Townsend, of Colorado; for Judges of the Supreme Court, B. F. Hall, of New York; S. N. Pettis, of Pennsylvania; and Charles L. Armour, of Ohio. The Senate confirmed these nominations immediately. Some eight months later (November 7, 1861), Governor Gilpin completed the executive machinery of the Territory by appointing James P. Benson, Treas-

urer; William W. DeLano, Auditor; and William J. Curtice, Superintendent of Schools.

It will be observed that but two of the President's appointees were citizens of Colorado—a number equalled by that of the Ohio men in the list. There was a strong local sentiment, which was supported by several men prominent at Washington, in favor of having the Denver City pioneer, General William Larimer, Jr., appointed Governor; but it was unable to overcome the influences that were brought to bear in behalf of Major Gilpin.

Although Colorado Territory nominally became a political sub-division of the Nation by the proceedings at Washington in February and March, its government was not made an actuality until the beginning of the autumn of that year. Governor Gilpin did not reach the Territory's capital until May 27th; the other non-resident appointees following him soon afterward. The Governor's arrival at Denver thus was noted in the issue of the *Daily Rocky Mountain News*, of that date:

"Col. Gilpin, Gov. of this Territory, arrived from the States by this afternoon's Express coach. We believe the citizens of Colorado, of all sections and parties, will extend to this well-known pioneer and friend of this country a cordial and unanimous welcome. He has written and spoken respecting this section of the Great West for many years, and, to no small extent, developed and controlled an interest in the States respecting these Rocky Mountains, which does now, and hereafter will continue, to benefit and magnify our Territory.

"Let the committees of our people, appointed some weeks ago, now conclude the arrangements to give the Governor a warm, sensible, hospitable and high-toned reception."

The reception took place in the evening of that day, in front of one of Denver's pioneer hotels, the Tremont House, which building is still standing, on the westward side of Twelfth Street, where Blake Street joins that thoroughfare. The "exercises" consisted of speeches of welcome, a response thereto, introductions, music, and much cheering.

During the month of June, Governor Gilpin visited nearly every settled part of his domain, to become acquainted with its people and to see for himself the progress that had been made; and on July 8th he was formally inaugurated.

On July 10th, the Governor announced by proclamation that by virtue of the authority vested in him he had divided the Territory into three judicial districts, and that the District Court of the First District should be held at Denver City; that of the Second at Central City; and that of the Third at Cañon City. On July 11th, he proclaimed that he had divided the Territory, for legislative purposes, into nine council districts (the equivalents of senatorial districts in a State), and thirteen representative districts; and appointed Monday, August 19th, as the day for holding an election to choose a Delegate in Congress and members of the two houses of the Territorial Legislature. Another proclamation, on July 22d, appointed a term of the Supreme Court of the Territory, for the First Judicial District, to begin at Denver City on the first Monday in September; and a term for the Second District, to begin at Central City on the third Monday in that month. James E. Dalliba, of Denver, had been appointed Attorney-General of Colorado, by President Lincoln, on August 18th, in place of William L. Stoughton.

At the election on August 19th, the only vote which was general throughout the Territory was that for a Delegate in Congress, for which

position there were two candidates—Beverly D. Williams, the "Delegate from Jefferson Territory", and Hiram P. Bennet, both of Denver City. Of the 9,597 ballots cast, 6,703 were for Mr. Bennet (who, at the time of this writing, is still living in Denver), 2,892 for Mr. Williams, and 2 "scattering". As the outbreak of the Civil War had caused many citizens of the Territory to return to their former homes, the total number of votes cast for these candidates was much smaller than it would have been had the election occurred three or four months earlier. However, it seems far short of what it should have been for the population that remained, if the census, required to be taken by section 4 of the organic act, and which had been completed by the middle of July, were trustworthy. According to that enumeration, the Territory contained, exclusive of Indians, 25,331 people—18,136 "white males over 21", 2,622 "white males under 21", 4,484 "females", and 89 negroes.

At the district elections the following-named persons were chosen for the Territorial Legislative Assembly: Members of the Council—Dr. E. A. Arnold, A. U. Colby, John M. Francisco, Hiram J. Graham, C. W. Mather, H. F. Parker, Samuel M. Robbins, Amos Steck, and R. B. Willis. Representatives—Jesus M. Barela, Jerome B. Chaffee, George M. Chilcott, George F. Crocker, Jose Victor Garcia, Charles F. Holly, J. H. Noteware, William A. Rankin, Edwin Scudder, Daniel Steele, O. A. Whittemore, E. S. Wilhite, and Daniel Witter.

The Supreme Court of the Territory had been organized, and rules and regulations for practice therein adopted, on July 10th. The first term of a District Court was opened in Denver City, pursuant to the Governor's proclamation on the subject, on September 2d, "at the new Court rooms on Fifth Street". But no business was done until the next day, when a grand jury was impanelled.

A week later (on September 9th), the first Legislative Assembly of the Territory met in Denver City. No organization was effected until the following day, when Dr. E. A. Arnold was elected President of the Council, and Charles F. Holly Speaker of the House. Governor Gilpin then transmitted to the new body of lawmakers a long and excellent message.

Of "Our Legislative Halls", the issue of the *Rocky Mountain News* of September 10th had the following to say:

"The places prepared for the two branches of our Legislature are convenient and comfortable. The Council chamber is in the building directly opposite the Broadwell House, on Larimer street [southeast corner of Larimer and Sixteenth streets]; and the House of Representatives, in the new building adjoining the Post Office. Both are well fitted up for the convenience of members, and the lobby is provided with seats capable of accommodating an hundred or more spectators."

So, within about three years from the beginning of the permanent American settlement of the Pike's Peak country, the lawfully-constituted government of this new division of United States territory went into operation.

"An Act to Provide a Temporary Government for the Territory of Colorado."

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all that part of the territory of the United States included within the following limits, viz: commencing on the thirty-seventh parallel of north latitude where the twenty-fifth meridian of longitude west from Washington crosses the same; thence north on said meridian to the forty-first

parallel of north latitude: thence west along said parallel west to the thirty-second meridian of longitude west from Washington; thence south on said meridian to the northern line of New Mexico; thence along the thirty-seventh parallel of north latitude to the place of beginning, be, and the same is hereby, erected into a temporary government by the name of the Territory of Colorado: *Provided*, That nothing in this act contained shall be construed to impair the rights of person or property now pertaining to the Indians in said Territory, so long as such rights shall remain unextinguished by treaty between the United States and such Indians, or to include any territory which, by treaty with any Indian tribe, is not, without the consent of said tribe, to be included within the territorial limits or jurisdiction of any State or Territory; but all such territory shall be excepted out of the boundaries and constitute no part of the Territory of Colorado until said tribe shall signify their assent to the President of the United States to be included within the said Territory, or to affect the authority of the Government of the United States to make any regulations respecting such Indians, their lands, property, or other rights, by treaty, law or otherwise, which it would have been competent for the Government to make if this act had never passed: *Provided further*, That nothing in this act contained shall be construed to inhibit the Government of the United States from dividing said Territory into two or more Territories, in such manner and at such times as Congress shall deem convenient and proper, or from attaching any portion thereof to any other Territory or State.

"Sec. 2. *And be it further enacted*, That the executive power and authority in and over said Territory of Colorado shall be vested in a Governor, who shall hold his office for four years, and until his successor shall be appointed and qualified, unless sooner removed by the President of the United States. The Governor shall reside within said Territory, shall be commander-in-chief of the militia thereof, shall perform the duties and receive the emoluments of superintendent of Indian affairs, and shall approve all laws passed by the Legislative Assembly before they shall take effect; he may grant pardons for offenses against the laws of said Territory, and reprieves for offenses against the laws of the United States, until the decision of the President can be made known thereon; he shall commission all officers under the laws of said Territory, and shall take care that the laws be faithfully executed.

"Sec. 3. *And be it further enacted*, That there shall be a secretary of said Territory, who shall reside therein, and hold his office for four years, unless sooner removed by the President of the United States; he shall record and preserve all the laws and proceedings of the Legislative Assembly hereinafter constituted, and all the acts and proceedings of the Governor in his executive department; he shall transmit one copy of the laws and one copy of the executive proceedings, on or before the first day of December in each year, to the President of the United States, and, at the same time, two copies of the laws to the Speaker of the House of Representatives and the President of the Senate for the use of Congress. And in case of the death, removal, or resignation, or other necessary absence of the Governor of the Territory, the secretary shall have, and he is hereby authorized and required to execute and perform all the powers and duties of the Governor during such vacancy or necessary absence, or until another Governor shall be duly appointed to fill such vacancy.

"Sec. 4. *And be it further enacted*, That the legislative power and authority of said Territory shall be vested in the Governor and a Legislative Assembly. The Legislative Assembly shall consist of a council and house of representatives. The council shall consist of nine members, which may be increased to thirteen, having the qualifications of voters as hereinafter prescribed, whose term of service shall continue two years. The house of representatives shall consist of thirteen members, which may be increased to twenty-six, possessing the same qualifications as prescribed for members of the council, and whose term of service shall continue one year. An apportionment shall be made, as nearly equal as practicable, among the several counties or districts, for the election of the council and house of representatives, giving to each section of the Territory representation in the ratio of its population (Indians excepted) as nearly as may be; and the members of the council and of the house of representatives shall reside in, and be inhabitants of, the district for which they may be elected, respectively. Previous to the first election the Governor shall cause a census or enumeration of the inhabitants of the several and districts of the Territory to be taken; and the first election shall be held at such time and places

and be conducted in such manner as the Governor shall appoint and direct; and he shall, at the same time, declare the number of the members of the council and house of representatives to which each of the counties or districts shall be entitled under this act. The number of persons authorized to be elected, having the highest number of votes in each of said council districts for members of the council, shall be declared by the Governor to be duly elected to the council; and the person or persons authorized to be elected having the greatest number of votes for the house of representatives, equal to the number to which each county or district shall be entitled, shall be declared by the Governor to be elected members of the house of representatives: *Provided*, That in case of a tie between two or more persons voted for the Governor shall order a new election to supply the vacancy made by such tie. And the persons thus elected to the Legislative Assembly shall meet at such place and on such day as the Governor shall appoint; but thereafter the time, place, and manner of holding and conducting all elections by the people, and the apportioning the representation in the several counties or districts to the council and house of the first election, and shall be eligible to any office within the said Territory; but the representatives, according to the population, shall be prescribed by law, as well as the day of the commencement of the regular sessions of the Legislative Assembly: *Provided*, That no one session shall exceed the term of forty days, except the first, which may be extended to sixty days, but no longer.

"Sec. 5. *And be it further enacted*, That every free white male citizen of the United States above the age of twenty-one years, who shall have been a resident of said Territory at the time of the passage of this act, including those recognized as citizens by the treaty with the Republic of Mexico, concluded February two, eighteen hundred and forty-eight, and the treaty negotiated with the same country on the thirteenth day of December, eighteen hundred and fifty-three, shall be entitled to vote at qualifications of voters and of holding office at all subsequent elections shall be such as shall be prescribed by the Legislative Assembly.

"Sec. 6. *And be it further enacted*, That the legislative power of the Territory shall extend to all rightful subjects of legislation consistent with the Constitution of the United States and the provisions of the [this] act; but no law shall be passed interfering with the primary disposal of the soil; no tax shall be imposed upon the property of the United States; nor shall the lands or other property of non-residents be taxed higher than the lands or other property of residents; nor shall any law be passed impairing the rights of private property; nor shall any discrimination be made in taxing different kinds of property; but all property subject to taxation shall be in proportion to the value of the property taxed.

"Sec. 7. *And be it further enacted*, That all township, district, and county officers, not herein otherwise provided for, shall be appointed or elected, as the case may be, in such manner as shall be provided by the Governor and Legislative Assembly of the Territory. The Governor shall nominate and, by and with the advice and consent of the Legislative council, appoint all officers not herein otherwise provided for; and in the first instance the Governor alone may appoint all said officers, who shall hold their offices until the end of the first session of the Legislative Assembly, and shall lay off the necessary districts for members of the council and house of representatives, and all other officers.

"Sec. 8. *And be it further enacted*, That no member of the Legislative Assembly shall hold or be appointed to any office which shall have been created, or the salary or emoluments of which shall have been increased, while he was a member, during the term for which he was elected, and for one year after the expiration of such term; and no person holding a commission or appointment under the United States, except postmasters, shall be a member of the Legislative Assembly, or shall hold any office under the government of said Territory.

"Sec. 9. *And be it further enacted*, That the judicial power of said Territory shall be vested in a supreme court, district courts, probate courts, and in justices of the peace. The supreme court shall consist of a chief justice and two associate justices, any two of whom shall constitute a quorum, and who shall hold a term at the seat of government of said Territory annually; and they shall hold their offices during the period of four years. The said Territory shall be divided into three judicial districts, and a district court shall be held in each of said districts by one of the justices of the supreme court at such time and place as may be prescribed

by law; and the said judges shall, after their appointments, respectively, reside in the districts which shall be assigned them. The jurisdiction of the several courts herein provided for, both appellate and original, and that of the probate courts and of the justices of the peace, shall be as limited by law: *Provided*, That justices of the peace and probate courts shall not have jurisdiction of any matter in controversy when the title and boundaries of land may be in dispute, or where the debt or sum claimed shall exceed one hundred dollars: and the said supreme and district courts, respectively, shall possess chancery as well as common law jurisdiction; and authority for redress of all wrongs committed against the Constitution or laws of the United States, or of the Territory, affecting persons or property. Each district court or the judge thereof shall appoint its clerk, who shall also be the register in chancery, and shall keep his office at the place where the court may be held. Writs of error, bills of exceptions, and appeals, shall be allowed in all cases from the final decisions of said district courts to the supreme court, under such regulations as may be prescribed by law; but in no case removed to the supreme court shall trial by jury be allowed in said court. The supreme court, or the justices thereof, shall appoint its own clerk; and every clerk shall hold his office at the pleasure of the court for which he shall have been appointed. Writs of error and appeals from the final decisions of said supreme court shall be allowed, and may be taken to the Supreme Court of the United States, in the same manner and under the same regulations as from the circuit courts of the United States, where the value of the property or the amount in controversy, to be ascertained by the oath or affirmation of either party, or other competent witness, shall exceed one thousand dollars; and each of the said district courts shall have and exercise the same jurisdiction, in all cases arising under the Constitution and laws of the United States, as is vested in the circuit and district courts of the United States; and the said supreme and district courts of the said Territory, and the respective judges thereof, shall and may grant writs of habeas corpus in all cases in which the same are grantable by the judges of the United States in the District of Columbia; and the first six days of every term of said courts, or so much thereof as shall be necessary, shall be appropriated to the trial of causes arising under the said Constitution and laws, and writs of error and appeals in all such cases shall be made to the supreme court of said Territory the same as in other cases. The said clerk shall receive in all such cases the same fees which the clerks of the district courts of Oregon Territory received for similar services.

"Sec. 10. *And be it further enacted*, That there shall be appointed an attorney for said Territory, who shall continue in office for four years, unless sooner removed by the President, and who shall receive the same fees and salary as the attorney of the United States for the late Territory of Oregon. There shall also be a marshal for the Territory appointed, who shall hold his office for four years, unless sooner removed by the President, and who shall execute all processes issuing from the said courts when exercising their jurisdiction as circuit and district courts of the United States; he shall perform the duties, be subject to the same regulations and penalties, and be entitled to the same fees as the marshal of the district court of the United States for the late Territory of Oregon, and shall, in addition, be paid two hundred dollars annually as a compensation for extra services.

"Sec. 11. *And be it further enacted*, That the Governor, secretary, chief justice and associate justices, attorney, and marshal, shall be nominated and, by and with the advice and consent of the Senate, appointed by the President of the United States. The Governor and secretary to be appointed as aforesaid shall, before they act as such, respectively take an oath or affirmation before the district judge or some justice of the peace in the limits of said Territory duly authorized to administer oaths and affirmations by the laws now in force therein, or before the Chief Justice or some associate justice of the Supreme Court of the United States, to support the Constitution of the United States, and faithfully to discharge the duties of their respective offices, which said oaths, when so taken, shall be certified by the person by whom the same shall have been taken: and such certificates shall be received and recorded by the secretary among the executive proceedings: and the chief justice and associate justices, and all other civil officers in said Territory, before they act as such, shall take a like oath or affirmation before the said Governor or secretary, or some judge or justice of the peace of the Territory who may be duly

commissioned and qualified, which said oath or affirmation shall be certified and transmitted by the person taking the same to the secretary, to be by him recorded as aforesaid; and afterwards the like oath or affirmation shall be taken, certified, and recorded in such manner and form as may be prescribed by law. The Governor shall receive an annual salary of fifteen hundred dollars as Governor, and one thousand dollars as superintendent of Indian affairs; the chief justice and associate justices shall each receive an annual salary of eighteen hundred dollars; the secretary shall receive an annual salary of eighteen hundred dollars. The said salaries shall be paid quarter-yearly at the Treasury of the United States. The members of the Legislative Assembly shall be entitled to receive three dollars each per day during their attendance at the session thereof, and three dollars for every twenty miles travel in going to and returning from the said sessions, estimated according to the nearest usually traveled route. There shall be appropriated annually the sum of one thousand dollars, to be expended by the Governor to defray the contingent expenses of the Territory. There shall also be appropriated annually a sufficient sum, to be expended by the secretary of the Territory, and upon an estimate to be made by the Secretary of the Treasury of the United States, to defray the expenses of the Legislative Assembly, the printing of the laws, and other incidental expenses; and the secretary of the Territory shall annually account to the Secretary of the Treasury of the United States for the manner in which the aforesaid sum shall have been expended.

"Sec. 12. *And be it further enacted*, That the Legislative Assembly of the Territory of Colorado shall hold its first session at such time and place in said Territory as the Governor thereof shall appoint and direct; and at said first session, or as soon thereafter as they shall deem expedient, the Governor and Legislative Assembly shall proceed to locate and establish the seat of government for said Territory at such place as they may deem eligible; which place, however, shall thereafter be subject to be changed by the said Governor and Legislative Assembly.

"Sec. 13. *And be it further enacted*, That a Delegate to the House of Representatives of the United States, to serve during each Congress of the United States, may be elected by the voters qualified to elect members of the Legislative Assembly, who shall be entitled to the same rights and privileges as are exercised and enjoyed by the Delegates from the several other Territories of the United States to the said House of Representatives. The first election shall be held at such time and places and be conducted in such manner as the Governor shall appoint and direct, and at all subsequent elections the times, places, and manner of holding elections shall be prescribed by law. The person having the greatest number of votes shall be declared by the Governor to be duly elected, and a certificate thereof shall be given accordingly.

"Sec. 14. *And be it further enacted*, That when the land in the said Territory shall be surveyed, under the direction of [the] Government of the United States, preparatory to bringing the same into market, sections numbered sixteen and thirty-six in each township in said Territory shall be, and the same are hereby, reserved for the purpose of being applied to schools in the States hereafter to be erected out of the same.

"Sec. 15. *And be it further enacted*, That temporarily and until otherwise provided by law, the Governor of said Territory may define the judicial districts of said Territory, and assign the judges who may be appointed for said Territory to the several districts, and also appoint the time and places for holding courts in the several counties or subdivisions in each of said judicial districts by proclamation to be issued by him; but the Legislative Assembly at their first or any subsequent session may organize, alter, or modify such judicial districts, and assign the judges, and alter the times and places of holding the courts, as to them shall seem proper and convenient.

"Sec. 16. *And be it further enacted*, That the Constitution and all laws of the United States which are not locally inapplicable shall have the same force and effect within the said Territory of Colorado as elsewhere within the United States.

"Sec. 17. *And be it further enacted*, That the President of the United States, by and with the advice and consent of the Senate, shall be, and he is hereby authorized to appoint a surveyor general for Colorado, who shall locate his office at such

place as the Secretary of the Interior shall from time to time direct, and whose duties, powers, obligations, responsibilities, compensation, and allowance for clerk hire, office rent, fuel, and incidental expenses, shall be the same as those of New Mexico, under the direction of the Secretary of the Interior, and such instructions as he may from time to time deem it advisable to give him."

"Approved, February 28, 1861."

CHAPTER XVI.

THE PROVISIONAL "TERRITORY OF JEFFERSON".—INCEPTION OF THE MOVEMENT THAT RESULTED IN ITS ORGANIZATION.—A STATE GOVERNMENT FIRST PROPOSED.—AN ARAPAHOE COUNTY ELECTION.—ELECTION OF DELEGATES TO A PRELIMINARY CONVENTION.—PROCEEDINGS OF THE CONVENTION.—A STATE CONSTITUTIONAL CONVENTION CALLED.—ADDRESS TO THE ELECTORS OF THE INTENDED STATE OF JEFFERSON.—ELECTION OF DELEGATES TO THE STATE CONVENTION.—ITS MEETING AND PROCEEDINGS.—TEMPORARY ADJOURNMENT.—REASSEMBLING OF THE CONVENTION.—ITS ENLARGED REPRESENTATION.—SENTIMENT FAVORING A TERRITORIAL FORM OF GOVERNMENT.—COMPROMISE ON THE QUESTION OF "STATE" OR "TERRITORY".—DECISION TO BE LEFT TO THE PEOPLE.—A STATE CONSTITUTION FRAMED AND A MEMORIAL TO CONGRESS FOR A TERRITORIAL GOVERNMENT ADOPTED.—PROVISIONS OF THE CONSTITUTION.—FORM OF THE MEMORIAL.—DEFEAT OF THE STATE PROPOSITION BY THE PEOPLE'S VOTE.—MOVEMENT TO ESTABLISH A TERRITORIAL ORGANIZATION.—PROCEEDINGS OF A "MASS CONVENTION" IN AURARIA CITY.—CALL FOR A TERRITORIAL CONVENTION.—"CIRCULAR LETTER" TO THE VOTERS.—ELECTION OF A DELEGATE TO CONGRESS AND OF DELEGATES TO A TERRITORIAL CONVENTION.—ANOTHER ARAPAHOE COUNTY ELECTION.—PROCEEDINGS OF THE TERRITORIAL CONVENTION.—APPROVAL OF THE TERRITORIAL CONSTITUTION.—ELECTION OF OFFICERS AND MEMBERS OF THE LEGISLATIVE ASSEMBLY OF JEFFERSON TERRITORY.—STILL ANOTHER ARAPAHOE COUNTY ELECTION.—INAUGURATION OF THE PROVISIONAL GOVERNMENT.—ITS LEGISLATION.—INHERENT WEAKNESS OF THE ORGANIZATION.—DECLINE AND FALL OF THE HOME-MADE TERRITORY.

The inception of the proposition, toward the close of the winter of 1858-59, to organize and establish the provisional "Territory of Jefferson" was due to anticipated requirements rather than to urgent needs existing at the time. While the several communities of American settlers in the Pike's Peak country had been living without any form of organized local government, there had been neither breaches of the peace nor encroachments upon the rights of property among them. But it was foreseen that these extraordinary conditions of frontier life could not survive the advent of the host of fortune-seekers which, according to reports that had drifted across the plains, then was preparing in the States to start for the "new gold-region" early in the coming spring.

Excepting the party of gold-hunters cabined at Red Rock, and the gathering of French traders and some Americans on the Cache a la Poudre near the site of the city of Fort Collins, all the settlements that had been made in the Pike's Peak country by our pioneers were in Arapahoe County of Kansas Territory; which county, as I have mentioned in a preceding chapter of this volume, had been formed by the Kansas Legislative Assembly in August, 1855. A. J. Smith, who, at the election held in Auraria City on November 6, 1858, when Hiram J. Graham was delegated to go to Washington to promote the political interests of "the people at Pike's Peak", was chosen to represent them in the Legislative Assembly of Kansas Territory, had proceeded in due season to the Kansas capital, where he was recognized and seated by the House of the Assembly as the Representative from the almost forgotten Arapahoe County.

By an act approved on February 7, 1859, the Kansas Assembly, influenced by the numerous flying rumors about "rich gold-mines" having been developed "at Pike's Peak", and probably also by the advice and personal desires of Representative Smith, abolished Arapahoe County and divided its area into five counties, one of which, that embraced the settlements at the mouth of Cherry Creek, being designated as "Montana County". However, those of the Pike's Peakers who were now bent upon having a "sovereign" government of their own, and who at this time constituted more than three-fourths of the population of the settlements, pointed out that the Kansas Assembly had no authority to organize these counties, because the Indians still held their title to the country the divisions covered. Therefore these pioneers were not disposed to recognize the new counties.

The first attempt to establish local civil government in the mountain-end of Kansas was made late in March, 1859, by a faction which then favored adherence to that Territory. On the 28th day of that month, an election, in which only a small number of voters participated and of whom some were newcomers, was held for a full complement of county officers for "Arapahoe County, Kansas Territory", which the Kansas Assembly had abolished and succeeded by the five counties provided for by the recent "law". So the legality of this election and the authority of the elected county officers to exercise the functions of their offices were denied and repudiated by the great body of the people, some holding that the old Arapahoe County had ceased to exist, while others, who had a better understanding of the situation, soundly insisted that that county never had legal existence, and that no county lawfully could be established in the far-western parts of Kansas until after the Indians' title to the land had been acquired by the United States by treaty with them.

It had become known in the Cherry Creek towns, late in February of that year, that in all probability the Thirty-fifth Congress would end its career without having provided a Territorial government for the "people at Pike's Peak"; and it was now known definitely that thousands of men from the States soon would be upon their way across the plains to the "new gold-diggings". To meet and deal with the conditions that would follow the incoming of this multitude, hungry for gold, and which inevitably would include in its ranks many "undesirable citizens"—outlaws, thieves, swindlers, gamblers, and other human parasites, such as had hurried to California ten years before—there must be some form of organized government superior to anything that was possible under the feeble jurisdiction of Kansas Territory. Moreover, there were among our pioneers of that time some very capable politicians, who were inspired by a laudable ambition to be founders of a new Commonwealth.

The form of the required organization, whether it should be that of a Territory or that of a State, at once became the subject of much discussion in the several Pike's Peak communities, and especially in the "cities" at the mouth of Cherry Creek. But before the close of March, general public sentiment had crystallized in favor of a State government, with authority over a much greater area than that of the Kansas Arapahoe County. It was believed that a State government, duly organized and in actual and successful operation, would be recognized by Congress early in the next session of that body and admitted into the Union immediately. Our pioneer Pike's Peakers were not men of narrow political views.

It would seem that the first definite step in the proceedings to organize the contemplated State should have been taken in the twin "cities" at the mouth of Cherry Creek—the "center of population". But it was not so. The movement was initiated at Fountain City, the embryo of our city of Pueblo, where a Statehood meeting was held on April 7th. The following report of what was done by that gathering appeared in the first issue (April 23, 1859.) of the *Rocky Mountain News*:

"The citizens of Fountain City precinct, without distinction of party, unanimously declared in favor of a new State, at a large meeting on the 7th of April: J. M. Shafer, Pres.; F. F. Brune, Sec. Speeches were made by Henry McCoy and J. M. Shafer, advocating an entire separation from Kansas Territory, and in favor of taking immediate steps toward forming a new State out of a portion of Kansas, Nebraska, Utah and New Mexico. The following delegates were appointed to attend a convention at Auraria City: Henry McCoy, Hickory Rogers, Anthony C. Thomas, George McDougal, J. M. Shafer, S. W. Wagoner."

The language of this report seems to imply that there had been a previous proposition from some quarter to hold a convention at Auraria City to organize a State government. But I could find no record of it. A meeting similar to that at Fountain City was held in the Cherry Creek towns four days later. The "official" minutes of the proceedings of this assemblage also appeared in the first issue of the *News*, and were as follows:

"Public Meeting."

"At a meeting of the citizens of Auraria and Denver City held at Wooton's Hall on the evening of the 11th inst. [April], on motion of L. J. Winchester, Dr. L. J. Russell was called to the chair, and Andrew Sagendorf appointed Secretary; when the object of the meeting was stated by H. McCoy, Esq., followed by Gen. Larimer in a few general remarks. Mr. Collier introduced the following resolution:

"*Resolved*, That on account of our distance from, and difficulty of communicating with, the proper authorities, we the people who are the power here, authorize the late county officers-elect to enter at once upon the discharge of their respective duties, without waiting for their commissions from the Governor [of Kansas Territory], after having received their certificates of election from the Commissioners and having given the proper bonds."

"Gen. Larimer, Hon. Wm. Clancy, Judge Wagoner and others spoke at length in favor of the resolution, and were opposed by Hon. Henry Allen. The resolution was lost. On motion of E. P. Stout, Esq., it was—

"*Resolved*, That the different precincts be requested to appoint delegates to meet in convention on the 15th inst. to take into consideration the propriety of organizing a new State or Territory." Which was carried unanimously. On motion adjourned."

"A. Sagendorf, Secretary."

L. J. Russell, Pres."

The "county officers-elect", referred to in the first of these resolutions, were those who had been chosen on March 28th, in which election seven "precincts" had participated.

In compliance with the request contained in Mr. Stout's resolution, a meeting of the citizens of Auraria City was held on April 14th to appoint delegates to the proposed convention. The following report of its proceedings was printed in the first issue of the *News*:

"Auraria, K. T., April 14."

"Pursuant to a call, a number of the citizens of Auraria, K. T., met in the store-room of R. L. Wooton. Henry Allen was called to the chair, and stated that the object of the meeting was to appoint delegates to attend a convention to be held in Auraria on the 15th inst. to take into consideration the project of organizing a new State. W. D. McLain was called upon to act as Secretary of the meeting. On

motion it was voted that the Chairman should appoint a committee of three to nominate six persons to act as delegates to the convention. The chair appointed R. L. Wooton, Thomas Pollock, and D. D. Cook. After a short absence the committee reported the following names of those to act as delegates: H. Allen, L. J. Russell, D. D. Cook, W. M. Slaughter, W. D. McLain, and Thomas Pollock. On motion it was voted that the report be accepted and the committee discharged.

"On motion it was voted that the persons suggested by the committee be appointed to act as delegates. Mr. White then offered the following resolution:

"*Resolved*, That the delegates be instructed to act in the convention with a view to forming a State government, and that they should let no sectional influences sway them in their deliberations."

"The resolution was adopted and on motion it was voted that the minutes of this meeting be published in the Cherry Creek papers.

"Minutes read and approved.

"On motion the meeting adjourned."

"W. D. McLain, Secretary."

"H. Allen, President."

At that time there were no "Cherry Creek papers". Merrick had reached Auraria, with his outfit for printing a small newspaper, on the day before. The publishers of the *Rocky Mountain News* had not yet put in their appearance, but the Aurarians had had tidings of their advance across the plains and of their prospective early arrival at Cherry Creek.

Meetings to choose delegates to the convention were held in Denver City, Arapahoe, and El Dorado and El Paso on the same day, but the minutes of these primaries are lost. Fountain City held none, as the action there on April 7th still stood good. Not all of the delegates chosen at the "country primaries" were residents of the "precincts" they were to represent, some of them being citizens of the metropolises at the mouth of Cherry Creek. It appears that these drafted representatives had visited the "outlying precincts" to arouse enthusiasm for the proposed new State, and were prevailed upon to serve them as delegates.

The convention assembled in Auraria City on the appointed day, in "Wooton's Hall"—the second story of R. L. Wooton's "business block", wherein the *News* was established a few days later. The following full report of the convention's proceedings was published in the historic first issue of that newspaper:

"The necessity of forming some government that will be a means of procuring safety to the large emigration now flowing to this country, having impressed itself fully upon the minds of the people, a convention was called to meet at Auraria on the fifteenth day of April to take into consideration and decide upon the course to be pursued.

"On motion Gen. Larimer was temporarily called to the chair, and Mr. Henry McCoy appointed Secretary.

"On motion a committee was then raised to examine credentials and report a list of delegates. Committee reported as follows:

"Fountain City—Henry McCoy, George McDougal, H. Rogers, J. M. Shafer, A. Thomas, S. W. Waggoner.

"Eldorado and El Paso—J. Hinman, L. J. Winchester, Thos. Warren, C. Gilmer, G. W. Putnam, T. Edwards.

"Arapahoe—Messrs. Fisk, Castro, Pollock, Cook, Cochran and Davidson.

"Auraria—Henry Allen, W. M. Slaughter, L. J. Russell, D. D. Cook, W. D. McLain, Thomas Pollock.

"Denver City—H. P. A. Smith, J. T. Lowrie, C. H. Blake, J. Merrick, Wm. Larimer, Jr.; Wm. Claney.

"On motion a committee of one from each precinct was appointed to select permanent officers for the convention, and the following officers were selected and unanimously elected:

"President, Hon. S. W. Waggoner.

"V. P.—Messrs. Larimer, McDougal, Cook, Gilmer, and Pollock.

"Secretaries—Messrs. Merrick, Shafer, Warren, Blake, Hinman, and Fisk.

"The rules of Jefferson's Manual were adopted for the government of the meeting.

"The convention was then addressed at length and a full discussion of the important points before them had by Messrs. Henry Allen, Wm. Larimer, Jr.; H. McCoy, and H. P. A. Smith, and on motion of Mr. Smith the following resolution was unanimously adopted:

"*Resolved*, That the discussions of this convention shall have but one object, viz: the formation of a new and independent State of the Union."

"A committee of two from each precinct was then raised to report the order of business and resolutions for the consideration of the convention, of which [committee] Henry Allen was chairman, and the convention adjourned to meet at 7 o'clock P. M."

"At 7 P. M. the convention met and the following resolutions reported by the committee were read and after some few amendments passed unanimously:

"The delegates from the precincts of Denver City, Auraria, Arapahoe, Fountain City, El Dorado and El Paso, of the County of Arapahoe, Kansas Territory, in convention assembled in the town of Auraria, the 15th day of April, 1859, do adopt the following preamble and resolutions, viz.:

"Whereas, A very large number of the citizens of the United States having in a very short time been brought together at this remote point of the Union, induced by the recent discovery of rich gold mines in this locality, and the good prospects of success held out here to the farmer, mechanic, trader and professional man; and being vividly impressed by our recent journey hither over the plains with the great distance our heterogeneous and active population is removed from any seat of government, either territorial or state, of the United States, where our wants could be made known, our civil and religious rights protected and our wrongs redressed; having already experienced the evils of such remoteness from government adequate to the duty of trying and punishing crime; and being fully impressed with the belief, from early and recent precedents, of the power and benefits and duty of self-government; and of the evils attending the government of bodies of men by agents of States or Territories at a distance, or of legislation without representation; and,

"Whereas, We, men of various vocations in life, having found this country which we have sought not only abounding in gold, just as represented by a majority of those who have written on the subject of these western gold fields, and of all those who were in the habit of weighing well what they wrote: and having also found it a country rich likewise in timber, in rock, and in crystal water: a country with soil capable of producing food for its inhabitants, if not equal to the richest western agricultural states, at least superior to those of New England: and abounding in inducements sufficient to retain its present population and a large number of the immense rolling wave of emigrants now on the way from the east, and soon to leave their own crowded homes to partake of the homes and harvest which we are now providing; and,

"Whereas, Owing to the absolute and pressing necessity for an immediate and adequate government for the large population now here and soon to be among us, actively engaged in the various acts of life: and aware of the impossibility of an early formation into a territorial government, that duty having been neglected by the recent session of Congress: and also believing that a territorial government is not such as our large and peculiarly situated population demands: therefore,

"*Resolved*, That the State contemplated shall embrace the following territory, viz.: its northern boundary commencing at the [intersection of the] 102d meridian of west longitude from Greenwich, Eng., with the 43d parallel of north latitude, and running west on the said parallel to its intersection with the 110th meridian of west longitude, thence south to the 37th parallel of north latitude, thence east on that parallel to the 102d meridian, and thence north to the beginning; and that the name thereof shall be the State of JEFFERSON."

"*Resolved*, That the citizens of the proposed State be requested to elect dele-

gates to attend a constitutional convention, to be held in Denver City on the 1st Monday in June, 1859, and said election of delegates shall be held on the 2nd Monday of May next, or between that time and the time specified for the meeting of the convention.'

"*Resolved*, That it shall be the duty of said convention, when convened, to prepare a constitution for the said state, to call an election for state officers and members of the senate and legislature and representatives to Congress, and to specify the time and place of holding said election, and appoint election officers of each precinct.'

"*Resolved*, That said constitution shall be submitted to the people for ratification or rejection at said election, and if rejected, the said election shall be considered null and void. Said election shall be conducted as all elections of a similar character.'

"Said convention shall consist of delegates, as follows: one delegate from every precinct, and one additional delegate for each 250 inhabitants of each precinct, and each delegation shall be bound to present to the convention satisfactory proof of the number of voters in its precinct.'

"Precincts as follows: Fort Laramie, Colona, Cache a la Poudre, Arapahoe City, Boulder City, Lupton's Fort, Cheyenne Pass, South Park, Jefferson, Sander's Ranch, Auraria, Denver City, Douglas City, Eldorado, Fountain City, Fort Garland, Montana, Brownsville, Huerfano, Russellville, El Paso, Canon City, Junction City, and that the central committee shall have power to organize any precincts that may come under their knowledge; also to see that the different precincts are furnished with a copy of the above resolutions, and request their cooperation, and to do whatever they may think best to carry out the object of their meeting.'

"On motion, the following gentlemen were appointed a committee to prepare an address to the citizens of the intended State of Jefferson, viz.: H. P. A. Smith, L. J. Russell, L. J. Winchester, H. McCoy, and D. B. Castro.

"On motion the following gentlemen were appointed as a Central committee, viz.: Wm. Clancy, C. Davidson, C. Gilmer, J. M. Shafer, and W. M. Slaughter.

"On motion the proceedings were ordered to be published in the papers of the whole United States friendly to our objects. A vote of thanks was passed to the officers of the Convention and for the use of the Hall, and the Convention adjourned.

"The kindest feeling prevailed and the proceedings were conducted with the utmost unanimity; and we fully believe that the ball now started will continue to roll on until the most brilliant State in the Union will be fully inaugurated and its success insured."

In the "full discussion of the important points" by the speakers who addressed the convention "at length", it was held that the conditions in the new country were such and would for some years inevitably continue to be such that a Territorial form of government would be inadequate to meet and control them; that it would be a brake upon the wheels of progress, an injustice to the people, and an official nuisance; and that nothing but a free and independent State government would be equal to the requirements. It may be remarked here that the Territorial establishment provided by Congress two years later turned out to be at times during its existence pretty nearly everything bad that these men had predicted for such a form of government.

The boundaries proposed for the "State of Jefferson" embraced an area more than two-fifths larger than that of the State of Colorado, as they included all that part of the present Nebraska lying west of the 102d meridian; nearly half of the present Wyoming; and one longitudinal degree of the territory of the present Utah. The figure of the State would have been almost square—about 416 miles from south to north and a mean of about 425 miles from east to west; an area approximating 177,000 square miles. Our pioneers gave each of their numerous ambitions a wide range.

Not all of the "precincts" designated by the preliminary convention

as places for holding elections for delegates to the "State Convention" were settlements. Most of the names in the list stood for districts or localities, as in the cases of Cheyenne Pass, Lupton's Fort, South Park, Huerfano, and others. Nor were there towns to represent all the town-names. For examples, Russellville, in the neighborhood of which there was a considerable number of prospectors in the spring of 1859, was a place well up on Cherry Creek, where the Russell party had done some prospecting in the summer of the preceding year, and where a solitary structure, half cabin and half "dug-out", now had been built; and Douglas City and Brownsville were far more prospective than actual as settlements. However, as fortune-seekers already were coming into the Pike's Peak country daily by hundreds, with thousands trailing in their rear, it was thought necessary to have a plenty of voting places.

The committee appointed "to prepare an address to the citizens of the intended State of Jefferson", wasted no time in producing the document, which was published in the *News* on May 7th, and which is an able and interesting presentation of the reasons why the Pike's Peakers should at once organize a State government. It follows here:

"Address of the Preliminary Convention to the Electors of the Intended State of Jefferson."

"It has been made our duty to address you at this time, to set briefly before you the reasons for requesting you to unite as one man in throwing off the feeble ties that bind us to the far off governments of our several territories, and forming what in our isolated position becomes a necessity, viz.: a new and independent State. It has always been the policy of the United States to form and admit new States into the Union as fast as the necessities of the people have required it. So much has this been the case that it may almost be called an immutable rule, and how strongly does this rule apply to us. Severed by a distance of over seven hundred miles from the governments of Kansas and Nebraska, and four hundred from New Mexico or Utah, nature itself has rendered it impossible for us to depend upon either of them. The time necessary to send a petition or receive even a message of any kind is so great, that such a government becomes almost a farce, and we are forced to act as if we had nothing but ourselves to depend upon. The business of our intended State will be principally mining—of the others entirely agriculture—two means so different as to be under the circumstances incompatible. The prices of labor are and will be so different that no laws that apply to one will apply to the other, while divided as we are between Kansas, Nebraska, New Mexico, and Utah, our representation will be but nominal with each, and we at the mercy of men who know nothing of our wants, cannot realize our situation, and will use their positions only to enrich themselves at our expense.

"Again, if crime be committed, the U. S. Courts of a Territory are the only ones competent for a trial, and what criminal will be deterred from the commission of crime when his judge is separated from him by seven hundred miles of arid waste? Government of some kind we must have, and the question narrows itself down to this point: Shall it be the government of the knife and the revolver, or shall we unite in forming here in our golden country, among the ravines and gulches of the Rocky Mountains, and the fertile valleys of the Arkansas and Plattes, a new and independent State? Shall the real keystone of the Union now be set on the summit of the arch, and a republic inaugurated that can from her mountain aerie cast her eye to the Pacific on the one hand and the Atlantic on the other? Embracing the waters of the Arkansas and the Plattes flowing into the Atlantic, Grand river and the Colorado flowing to the Pacific, she at once becomes the real center of the Union.

"We may soon expect the advent of the iron horse, and a national railroad is no longer a question. Northern and southern routes will no longer be a cause of delay, for nature has provided by her golden largess an argument for its location that will be irresistible, and both roads will become not a disputed issue but a remunerative speculation.

"Let us then all unite as one in so great an object; forgotten be for the time all party creeds and political differences, and with an eye solely to so glorious a result, let us all push forward to the one point before us, the formation of the State of Jefferson. The convention of which we are for the present the mouthpiece, has decided its limits to be from longitude 102 deg. west to longitude 110 deg. west, on the 43d parallel of latitude, as the northern boundary; from lat. 43 deg. north to lat. 37 deg. north, on the 110th deg. of west long., as the western boundary; from that point following the 37th deg. of lat. to long. 102 deg. west as the southern boundary; and the 102d deg. of long. to the first mentioned point as the eastern boundary. It will thus be seen that we include within our limits all the material necessary to make not only a State but a nation. With our mountains teeming with minerals and metals of every kind: our valleys richer for agricultural purposes than any part of the Union, with a population hardy as the hills they traverse, and prairies to divide us from the rest of the world, we may indeed feel free as the mountain air which brings to us health and vigor. Let each precinct be represented fully at the constitutional convention on the first Monday of June, and let each member feel that upon him devolves a responsibility such as can happen but once in a life. Each precinct will be entitled to one delegate, and one for each 250 voters in the precinct, and let no portion of the State be omitted in the election of delegates. It is a glorious cause, and a feeling of pride as well as of duty should lead us to act in it. Let each individual then feel that upon him rests a responsibility to see that the best men are selected, and that the future interests of his home be not entrusted to those who will betray the trust confided to them."

"H. P. A. Smith, Denver;

"Henry McCoy, Fountain;

"D. B. Castro, Arapahoe;

"L. J. Russell, Auraria;

"L. J. Winchester, El Dorado."

The second Monday in May, the day on which delegates to the proposed convention to arrange for organizing a "new and independent State of the Union" were to be elected, was the 9th of that month. By that time there were vague rumors afloat of rich deposits of gold having been found somewhere at no great distance from the Cherry Creek towns. But, as I have already related, only a few persons knew just where they were, as knowledge of the discoveries by Jackson and Gregory had not yet been made public. Notwithstanding these tantalizing reports, which were so well calculated to divert the minds of men from political affairs, elections were held, or were alleged to have been held, on the designated day in a majority of the "precincts" named by the preliminary convention, and at which delegates to the State convention were more or less duly chosen.

Monday, the 6th of June, the day on which the State-building convention was to begin its sessions, in Denver City, found the great majority of the Pike's Peakers in a state of excitement and enthusiasm over the discoveries of gold by Gregory and Jackson, and the subsequent developments of placer-mining, on the upper waters of Clear Creek. Nevertheless, thirty-two of the fifty delegates that had been elected, representing thirteen of the twenty-three "precincts", assembled on that day, at the "Denver House", or "Blake and Williams' Hall", the pioneer "hotel" of Denver City. After a temporary organization had been effected by electing William N. Byers to be President and Thomas Gibson to be Secretary, the first business transacted was the appointment of a committee on credentials, which presently reported "that they have examined the credentials of the parties from the following districts, and report the following named persons as legally elected delegates", eighteen of whom were not present at the time:

"Auraria.—W. M. Slaughter, Henry Allen, R. L. Wooton, W. N. Byers, T. Pollock, L. J. Russell, D. D. Cook, W. D. McLain, A. Sagendorf.

"Fountain City.—Henry McCoy, Daniel Davis, C. B. Patterson, R. Eads, J. M. Shafer, J. B. Calvin, G. McDougal, F. F. Brunio, Martin Fields, S. J. Ensley.

"Douglas City.—W. G. Preston, J. Provost.

"Lupton's Fort.—A. J. Williams.

"Denver City.—Gen. W. Larimer, jr.: S. W. Wagoner, W. Clancy, S. W. Beall, W. P. McClure, E. P. Stout, H. P. A. Smith, J. M. Fox, R. E. Whitsitt.

"Gregory Diggings.—D. J. Castro, Dr. Davenport, J. H. Turner, S. Reed, Thomas Warren, R. Sopris, W. S. Foster, W. A. McFadding, F. A. Edwards, J. H. Gregory.

"Hurfano.—Hickory Rodgers, Levi Ferguson.

"Sander's Ranch.—J. J. Rariden.

"Eldorado.—L. J. Winchester.

"Russellville.—N. J. Wyatt.

"Baden.—A. C. Smith.

"Highland.—J. H. Dudley.

"Colona.—J. McDonald, C. Raymond."

This report having been accepted and approved, permanent officers of the convention were chosen, as follows: S. W. Wagoner, President; Henry Allen, E. P. Stout, Richard Sopris, Levi Ferguson, C. B. Patterson, Vice-Presidents; Thomas Gibson, Secretary; John J. Shanley, Assistant Secretary; and J. P. Farrer, Sergeant-at-Arms. The pioneer clergyman among the Pike's Peakers, George W. Fisher, of the Methodist Episcopal Church, then instituted the convention's further proceedings with a prayer.

Most of the leaders of the assemblage already had concluded that, in consideration of the current circumstances which absorbed the attention of so many of the people, and of the population's insufficient representation present, it would be the wiser course for the convention to make certain preliminary preparations for a State organization and then adjourn to a time when there could, and doubtless would, be a larger number of delegates in attendance.

In accordance with these views and on motion of Mr. Byers, the President was instructed to appoint committees, each to consist of three delegates, "on the several topics necessary in the drafting of a Constitution for a State government", and to report the committees "to-morrow morning".

The delegates appear to have been early birds, for they then adjourned "to to-morrow morning at 8 o'clock".

When the convention reassembled in the morning of June 7th, President Wagoner reported the several committees on a State Constitution, and which were as follows:

"On Boundaries and Bill of Rights.—W. N. Byers, E. P. Stout, D. J. Castro.

"On Suffrage and Distribution of Power.—William Larimer, Jr.; W. M. Slaugher, W. J. Foster.

"On Legislative and Executive Departments.—Henry McCoy, A. J. Williams, William Clancy.

"On Judiciary.—N. G. Wyatt, W. P. McClure, Henry Allen.

"On Militia, State Debts, and Corporations.—J. H. Turner, Hickory Rogers, R. E. Whitsitt.

"On Education and School Funds.—L. J. Russell, S. W. Beall, J. J. Rariden.

"On Amendments and Miscellaneous Matters.—J. M. Fox, J. M. Shafer, Thomas Warren.

"On Schedule.—L. J. Winchester, H. P. A. Smith, D. D. Cook."

These committees, as constituted by the President, were approved, and instructed to be prepared to report to the convention at its next session. On motion, the President then appointed two other committees: one, consisting of N. G. Wyatt, E. P. Stout, and D. Davis, "whose duty it shall

be to form new precincts, from which delegates may be sent to the convention on the same ratio of population as agreed upon at the preliminary convention"; the other, consisting of Henry Allen, General William Larimer, Jr.; William N. Byers, Henry McCoy, and N. G. Wyatt, "to memorialize the President of the United States for the appointment of a resident agent for the Arapahoe and Cheyenne Indians."

After agreeing to a motion "that W. N. Byers and Thomas Gibson [publishers of the *Rocky Mountain News*] be appointed public printers by acclamation", and thanking the officers of the convention "for their efficient discharge of their duties" and Blaké and Williams "for the use of the room", these State-builders adjourned, to meet again on the first Monday in August—the first day of that month.

In an article entitled "The State of Jefferson", in the issue of the *News* (still the only newspaper in the Pike's Peak country) of June 11th, referring to the convention's adjournment for about two months, the editor of that paper said:

"This we think was the best course which could be pursued. Had the terrible panic not stricken the emigration we would ere now have had a population almost sufficient to entitle us to a representative in Congress, but now after those already on the road have arrived we need not expect many more until a complete reaction has taken place and the minds of the people in the States have been disabused of the erroneous ideas into which they have fallen. This will require some months and we can hardly expect another inflowing of people before fall. That we will have a sufficient population and be admitted as a sovereign State before the adjournment of the next session of Congress we have scarce a doubt. To attain that end we will lend our influence, feeling confident that it is our best course and that the goal is not too high for the ambition of our people. All hail the future State of Jefferson!"

During the months of June and July a considerable opposition to the movement to organize a State arose among the people, most of those who arrayed themselves against it now favoring, or professing to favor, a Territorial form of government. There had not been a second "inflowing of people", and in the meantime no trifling number had outflowed, while others were preparing to do so. Therefore those who advocated a change of programme argued that the remaining population would not be large enough to bear the cost of maintaining a State organization, and pointed out that much of the expense of supporting a Territorial government would fall upon the United States Treasury.

The wisdom of the policy of adjournment and delay was demonstrated when the convention reassembled, in Denver City, on Monday, August 1st. There were now in attendance, including those who had been chosen in the interval, 166 delegates, representing forty-five "precincts"; and among them was an increased number of men who had had, at their former homes, practical experience in such work as that which they had met to do.

The delegates assembled at the Denver House, where the first day's session was held. But finding the "hall" of that hostelry too small to accommodate so large a body, the convention moved, on Tuesday morning, to a building in Auraria City, that stood upon the southwest corner of Denver's present Lawrence and Tenth streets, and which it occupied until its final adjournment.

The *Rocky Mountain Gold Reporter and Mountain City Herald*, published at Mountain City by Thomas Gibson, who had been elected Secretary of the convention, made its initial appearance upon the last day of that



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week (August 6th). In an account of the first day's proceedings of this gathering of State-builders, and which appeared in that issue of his paper, Mr. Gibson commented as follows upon some incidents of the session:

" . . . The afternoon was spent in admitting delegates, and endeavors of the supposed candidates for office to display their erudition and patriotism. Such a time of 'explaining' and 'defining positions' is seldom seen. Gentlemen seemed bursting with anxiety to tell where they stood, when, with due deference to self-esteem, no one present or absent cared a penny where they stood, whether it was upon one leg or two. A great many affirmations of disinterestedness were made, and as they were generally doubted by those who seemed to know, we suppose they were not quite sincere. Quite a contest occurred on a motion to adjourn to Auraria, and to the great chagrin of the Denverites, the motion prevailed. The reason for this was the inconvenient situation of the place of meeting, it being so far out upon the plains that a question was raised whether it was in the 'proposed State of Jefferson'."

The names of the delegates, as reported by the Committee on Credentials, and those of the "precincts" they represented, follow:

"Arapahoe.—G. B. Allen, M. Chilacott, W. L. Crooker, M. Cook, Sam S. Curtis, J. R. Gould, Asa Smith.

"Auraria.—Henry Allen, W. N. Byers, D. D. Cook, W. D. McLain, W. M. Slaughter, A. Sagendorf, Levi J. Russell, R. L. Wooton, Thomas Pollock.

"Baden.—A. C. Smith.

"Bay State.— . . Hill, A. N. Parsons.

"Beaver Creek.—Beverly D. Williams.

"Cold Springs.—Thos. P. Van Trees.

"Colona.—J. McDonald, C. Raymond.

"Cheyenne Pass.—R. S. Parks.

"Denver.—William Larimer, Jr.: S. W. Wagoner, W. Clancy, S. W. Beall, W. P. McClure, E. P. Stout, H. P. A. Smith, J. M. Fox, R. E. Whitsitt.

"Deadwood.—John Graves, G. H. Washburn, S. M. Logan, M. W. Gamble, W. F. Morris, S. D. Ingle.

"Dickerson.—B. S. Harvey, S. Crepts, Charles Nichols, T. C. Dickerson.

"Douglas.—W. G. Preston, J. Provost.

"Downeyville.—A. B. Steinberger.

"Eldorado.—L. J. Winchester.

"Eureka.—D. S. Bentley, J. P. Brown, B. F. Fuller, W. F. Sigler, A. H. Barker, J. H. Knox, H. Goodwin.

"Fountain City.—R. Eads, Henry McCoy, J. B. Calvin, G. McDougall, Daniel Davis, C. B. Patterson, J. M. Shafer, F. F. Brunee, M. Fields, S. J. Ennesley.

"Golden City.—H. C. Green, W. H. Loveland, J. M. Ferrell, T. P. Boyd, Eli Carter, S. Y. Baldwin, A. F. Garrison, W. Ford, J. H. Wisner, S. Bronson, James McDonald, J. M. Whittemore.

"Golden Gate.—E. G. Seachrest, J. S. Rodgers, H. J. Hawley, C. C. Post, S. W. Lincoln, Alf Tucker.

"Griffith.—G. H. Eayre.

"Gregory Diggings.—J. Casto, Thos. Warren, R. Sopris, W. S. Foster, W. A. McFadding, J. H. Gregory, R. W. Steele, J. Emerson, G. W. Brown, J. H. Bradstreet, W. W. Mason, G. W. Cook, . . . Buchardt, E. W. Barck, N. L. Witcher.

"Highland.—Judson H. Dudley.

"Huerfano.—Hickory Rogers, L. Ferguson.

"Illinois.—W. D. Arnett, J. W. Baldwin, W. O. Kehler, B. M. Dayton, L. W. Borton.

"Illinois Central.—J. C. M. Lyon, W. B. Rodgers, J. Melvin, S. Few.

"Jefferson.—S. R. Brown, W. E. Moore, A. J. Allison.

"Junction.—H. R. Hunt.

"Jackson.—J. W. Harlon, S. Harkelrode, W. R. Edwards.

"Kayote.—A. C. Ford, W. C. Howard, T. L. Griffith.

"Kioway.—C. M. Cutter.

- "Left Hands.—E. H. N. Patterson.
- "Merryville.—J. R. Shaffer.
- "McLary.—D. Ross, D. McLary.
- "Middle Fork Clear Creek.—Frank De La Mar.
- "Missouri Gulch.—C. D. Holmes.
- "Mountain City.—J. G. Harris, J. B. Reid, J. H. Keeler, J. L. Merrick, J. H. Gest, J. D. Baker, C. D. Roberts, S. B. Thompson, A. O. McGrew, W. P. Steinberger, D. Wyman.
- "Nevada.—G. M. Willing, T. S. Peck, J. R. Beverly, L. W. Link, W. M. Conley, D. Powell.
- "Ouatrabie.—. . . Middangh.
- "Paine.—A. W. Clark, George A. Jackson.
- "Plum Creek.—W. Street.
- "Fort Lupton.—A. J. Williams.
- "Russellville.—N. G. Wyatt.
- "Russell's Gulch.—W. Green Russell, J. M. Wood, J. H. Rutherford, H. H. Porter, J. F. M. Mitchell, . . . Christopher.
- "Spanish Bar.—M. Townsley, G. A. Thomas, J. C. Bell, R. P. Smith, O. C. Lechow, W. Brinton, M. Murphy, P. Cherry.
- "Sanders' Ranch.—J. J. Rariden.
- "Taos.—J. E. Sabine, A. Thomas."

At the close of the first day's proceedings, which in the main had to do with the credentials of delegates, the convention's officers holding over a Territorial government for the Pike's Peak region. This sentiment was from the June adjournment resigned, apparently in order that there might be a further division of honors. Therefore, on Tuesday morning, a new complement was elected, as follows: President, Captain A. F. Garrison; Vice Presidents, O. M. Wood, E. P. Stout, W. D. Arnett, and Hickory Rogers; Secretary, Thomas Gibson; Assistant Secretary, Henry McAfee; Sergeant-at-Arms, George Weed. William H. Goode, another pioneer minister, of the Methodist Episcopal Church, was appointed Chaplain of the assembly.

Many of the delegates, especially of those who had not participated in the June convention, already had expressed a decided preference to abandon the project for a State and to memorialize Congress immediately to provide crystallized in the following resolutions, which were introduced by Delegate Beverley D. Williams, at the morning session on Tuesday:

"*Resolved*, That, whereas at the last session of this convention [that of June] a resolution was adopted, that the business of this convention shall be strictly confined to the organization of a State government, giving the boundaries, etc., and it now appearing to the convention that the subject of a Territorial organization should also be considered by this convention in connection with said State organization, and the question determined at once, whether this convention proceed to form a State constitution or memorialize Congress for a Territorial organization. Therefore,

"*Resolved*, That the President of this convention appoint a committee of thirteen, whose duty it shall be to report to this meeting which is the proper course for this convention to pursue in reference to this subject."

After substituting "one delegate from each precinct" for "thirteen", the convention adopted the resolutions and the President appointed the committee.

On Wednesday morning, this committee, of which Mr. Williams was chairman, brought in two reports; that of the majority being in the following form:

"Resolved, by this committee, that a State form of government is the best for this country at this time."

The minority report, signed by Mr. Williams and thirteen other members of the committee, set forth the following reasons why a temporary Territorial government was preferable under the existing circumstances:

"1st. Your committee find that there is now, agreeable to the last estimate, about fifteen thousand inhabitants in the limits of said Territory or State. That a large number of these will return in a short time to their families and friends in the States, leaving, say on the 10th of October, perhaps six to eight thousand persons, who will remain in the country. That from the rich discoveries of gold already made, and are making daily, your committee is satisfied that there will be a large immigration to the Territory during the next spring and summer, a number sufficient, in the minds of your committee, to entitle the Territory to one representative in the Congress of the United States, and entitle it to admission into the Union as one of the Sovereign States of this Republic. In view of these facts, your committee would say, that in the minds of a minority of the same, to proceed at this time, to frame a State Constitution would be impolitic and unwise.

"2d. They would therefore recommend to the convention now assembled to appoint a committee of . . . members of said convention, whose duty it shall be to draw up a memorial to be presented to Congress, asking that a Territorial Government be established within the boundary of the proposed State of Jefferson, which report shall be submitted to said convention for its ratification and approval.

"3d. Your committee would recommend that said convention request that an election shall be holden in the different precincts of this Territory on the . . . day of . . . , 1859, for the purpose of electing a delegate to represent the interests of the people of said Territory of Jefferson in the Congress of the United States, and to select at the same time suitable persons to fill the offices in the Territory upon the organization, which shall be most respectfully presented to the President for his action.

"4th. That upon selecting or recommending a day to elect officers, etc., the convention adjourn, *sine die*."

After much discussions of these propositions, both in convention and Committee of the Whole, a motion to adopt the minority's report was defeated by a vote of 58 to 43. The majority report then was approved, and the State-builders adjourned over night.

On Thursday morning, a motion by Delegate Henry Allen "to reconsider the vote by which the majority report of the Select Committee, on Mr. Williams' resolution, was adopted", was ordered laid upon the table. Delegate Eli Carter then "moved the passage of the following resolution":

"Resolved, That the convention now proceed to prepare a Constitution for the State of Jefferson; And also that the convention appoint a committee of 13, whose duty it shall be to prepare a Memorial to Congress, asking the immediate organization of a Territorial Government for the Territory of Jefferson; and that said constitution and Memorial both be submitted to the voters within the limits of said State-Territory, on the first Monday of September next for their approval or rejection."

As this proposed reference of both propositions directly to the people was satisfactory to nearly all the delegates, the resolution was adopted *viva voce*. The President then was authorized to appoint the committee required by the Carter resolution, and to increase the membership of the "committees on the different heads of the constitution" "from three to five, the new members on said committees to be taken from among the delegates to this convention, elected since the first Monday in June last".

There were still a few delegates who desired to stop all proceedings

in the direction of framing a State constitution. One of these, H. P. A. Smith, who had moved the resolution in which the preliminary convention, of April 15th, had declared that the only object of discussion in that body should be "the formation of a new and independent State of the Union", now introduced the following, which was ordered laid upon the table:

"Resolved, That the question of a State or Territorial Government be submitted directly to the people for decision, and that the convention adjourn until the result of such election be known."

In the afternoon of that day, the Committee on Boundaries and Bill of Rights reported the boundaries fixed for the proposed "State of Jefferson". After the report had been read, Delegate Robert W. Steele moved to strike out the name "Jefferson" and in lieu thereof to insert "Montana". Mr. Castro moved to amend Mr. Steele's motion by striking out "Montana" and substituting "Platte". Both motions were laid upon the table. Other names for the proposed State which were suggested while the convention was in session were "Cibola", the old Spanish term for the buffalo: "Shoshone", which Governor Denver had had in mind in the autumn of 1858 for the Territory which he then expected soon would rise in the Pike's Peak country; and "Bill Williams", the name of an old and noted frontiersman in the Far West.

On Friday (August 5th), the time and attention of the convention largely were given to receiving, hearing and acting upon the reports of the several committees on the constitution, upon which they had been at work during the interval since June. It appears that the "saloon" had become a practical "issue" and that the assembly had been annoyed by its "influence", as Delegate Eli Carter moved, in the forenoon of that day, "that the Sergeant-at-Arms be requested to desire all liquor Saloons to remove at least fifty yards from this building". But the record is silent as to the disposition made of Mr. Carter's motion, which was the first proposition advanced upon Colorado soil to "regulate" the saloon-keeper. In the afternoon session a special committee was appointed to revise, grammatically and orthographically, the several parts of the constitution, and to arrange and engross them in proper sequence.

In the morning session on Saturday, the convention adopted the following resolution, which was submitted by Delegate Henry Allen:

"Resolved, That when the people vote on the acceptance of either a State Constitution or a Territorial Organization, then those in favor of a State Constitution shall vote the word 'For', on a ballot containing the word 'Constitution'; and those in favor of a Territorial Organization shall vote the word 'For', on a ballot containing the word 'Territory'.

"It is understood that the ballots containing the words 'For Constitution', shall be considered a full and complete negative to a Territorial Organization; and the words 'For Territory', shall be considered a full and complete negative to a State Constitution."

By "An Act to Apportion the Representation in the First General Assembly of the State of Jefferson", "Adopted by the Constitutional Convention, August 6, 1859", the area of the proposed State was divided into thirteen districts, each of which was to be represented in the Legislature by "one Senator and two Representatives". The "Act" also provided that returns of the elections should be sent to Denver City, there to be canvassed by the "County Judge" and "Justices of the Peace", which officers had been elected in the previous March.

The memorial to Congress asking for a Territorial form of government was received on that day from the committee appointed to prepare it, and was adopted as reported. The document follows:

"A MEMORIAL

"Of the People of the proposed Territory of Jefferson to the Congress of the United States."

"To the honorable Senate and House of Representatives in Congress assembled:

The citizens of the proposed Territory of Jefferson would respectfully represent, through the ballot box, their desires in regard to a Territory. We find ourselves situated within the limits of some four of the Territories of the United States, on lands where the Indian title has not been extinguished, some five hundred miles remote from any organized government, with natural barriers of sterile plains and rugged mountains, not susceptible of settlement and cultivation, between them and us, and our interests altogether [different] from those of a majority of the inhabitants of the Territories which we occupy; therefore we have considered it necessary to our prosperity and well being that we be set off with a distinct form of government of our own. The staple production of this proposed territory is gold, all interests and avocations must be subservient to the mining interest, and the prosperity of the country will grow out of the abundance of this precious metal. The fact of the existence of gold in remunerative quantities, together with an abundance of other valuable minerals, has now become established beyond all doubt. Our present population is about 25,000, and it is evident that we will soon have the requisite population to entitle us to admission into the Union as a sovereign State. We would therefore request your honorable body to grant us a territorial government. We would further call your attention to the importance of extinguishing the Indian title to the lands in the vicinity of the gold mines, as you are well aware that in cases of this kind emigration can only be regulated, not checked. We would suggest the following boundaries as being generally satisfactory to the people of the proposed territory: Commencing at a point where the 37th degree of north latitude intersects the 102d degree of west longitude, and running north on said meridian to the 43d degree of north latitude; thence west on said parallel to the 110th degree of west longitude; thence south on said meridian to the 37th degree of north latitude; thence east on said parallel to the place of beginning.

"Your memorialists then ask: First, That the above described territory be set off under a territorial form of government, with the title of the 'Territory of Jefferson'. Second, That you give us as liberal form of government as is consistent under the constitution of the United States; and, third, That steps be taken as soon as may be for a census or enumeration of the inhabitants of the proposed territory.

"And as in duty bound, your memorialists will ever pray."

The Jefferson Constitution provided that "all laws now in force in the territories composing the State of Jefferson and not inconsistent with this Constitution shall remain in force until they expire by their own limitation, or are altered or repealed by the General Assembly". It also provided that it was to be submitted to the electors on the first Monday in September, 1859, "for their adoption or rejection"; and that in the event of its adoption the first election for State officers and for members of the Legislature should be held on the first Monday in October, 1859, and that the first regular session of the Legislature should begin in Auraria City on the first Monday in January, 1860. A permanent seat of government was to be determined later. The boundaries of the proposed State, as defined in the constitution, were the same as those which had been laid down by the preliminary convention, of the preceding April.

In the final proceedings of the convention, 2,000 copies of the constitution and the same number of the memorial were ordered printed for general distribution among the Pike's Peak people; and a copy of each was

ordered to be sent to the President of the United States, to the presiding officers of both houses of Congress, and to the Secretary of State of each State in the Union. After formally thanking the convention's officers "for the able and gentlemanly manner in which they have performed their duties", the Chaplain for his services, Tessemann & Co. "for the use of their building", and having had a benediction pronounced by Mr. Goode, this gathering of State-builders adjourned late in the afternoon of Saturday, August 6th, and passed into history. It was as a whole a dignified body of earnest men.

The constitution which they had framed (the great length of which precludes reprinting it here), is a comprehensive and highly creditable document. Many of its provisions were incorporated into the Constitution of the State of Colorado. While the first section of its Bill of Rights declares that "all men are, by nature, free and independent, and have certain inalienable rights, among which are those of enjoying and defending life and liberty, acquiring, possessing and protecting property, and pursuing and obtaining safety and happiness", the constitution does not touch the question of slavery. A memory of the then recent experience of the country with "wild-cat" banks and banking appears in the constitution's provision that "no banking corporation shall have power to issue certificates of indebtedness in any shape whatever to circulate as money".

To the great surprise and disappointment of the friends and advocates of the "State of Jefferson", the election on the first Monday in September, the 5th day of the month, resulted in an overwhelming defeat of the project for a State, while the number of ballots cast was discouragingly small. In the mining towns and camps the vote was very light, the miners generally having taken comparatively little interest in either proposition. "But a small proportion of the miners voted", says a report from the mountains, "probably not more than one-fourth where polls were opened, and in many precincts no election was held". "At Mountain City not more than one-fourth the miners voted." Moreover, of the thousands of fortune-seekers who had streamed into the country through the spring and in the early part of the summer of that year, a very large number had, as I have told in a preceding chapter, started back in indignation and disgust to the States before the time of this election.

It appears that no "official canvass" of the election returns was made; probably for the reason that nobody cared to take the trouble accurately to determine the outcome. The last published report of the election was printed in the *Rocky Mountain News* in its issue of September 17th, and in which the results, "as far as heard from", were stated as follows:

| "Precincts | For Ter. | For State." |
|---------------------------|----------|-------------|
| "Auraria | 373 | 114 |
| "Denver | 573 | 70 |
| "Boulder | 173 | 3 |
| "Gold Hill | 97 | 2 |
| "Nevada | 103 | 3 |
| "Mountain City | 276 | 87 |
| "Golden City | 141 | 22 |
| "Russell's Gulch | 21 | 225 |
| "New Nevada Precinct..... | 105 | 3 |
| "Golden Gate | 64 | 1 |
| "Arapahoe | 41 | 19 |
| "Spanish Bar | 39 | 11 |
| "Fountain City | 1 | 1089 |
| "Total Received, | 2007 | 1649" |

Of the total vote of 3,656, as shown in this report, 1,130 were cast in Denver and Auraria "cities". But the Fountain City return obviously was either an error or a gross misrepresentation, the chances being that the actual vote "For State" at that "precinct" was 89 instead of 1,089. However, the adverse vote was decisive, and the "State of Jefferson" was no longer, in the words of a once-famous phrase of the late Senator Ingalls, of Kansas, even "an iridescent dream". Its fate was much deplored by its advocates, most of whom were substantial citizens, who were weary of the unorganized conditions under which they lived and of the trying consequences which these entailed; and who also were opposed, with sound reasons, to the introduction into this virgin region of the makeshift Territorial system of government.

The "State" convention had made no provision for further proceedings toward establishing a Territorial government in the Pike's Peak country in the event of the rejection of the State proposition, and therefore some spontaneous action now was required to give effect to the expressed preference for a Territorial form of government. The people had been practically without the protection of law for a year, and the resultant conditions of such existence had not been modified by the failure of the State project.

Apparently without previous general public notice having been given of the movement and its purposes, a "mass"-meeting was held in Auraria City on Saturday, September 24th, to prepare for organizing a Territorial government. Of the proceedings of this gathering the "official report" here follows:

"Mass Convention."

"At a meeting of the citizens of the Mountains and Plains, held in Auraria, on the 24th day of September, Col. Ferrell, of Golden City, was called to the Chair, and Col. J. D. Henderson appointed Secretary.

"The meeting being organized, Mr. Wm. P. McClure arose and addressed the assemblage at length on the necessity and propriety of a Provisional Government for the Territory of Jefferson.

"Mr. John C. Moore moved that a Committee of Five be appointed to address a circular letter to the voters of the Territory of Jefferson, setting forth the necessity that existed for the organization of a Provisional Government, recommending the several precincts to appoint Delegates on the first Monday in October, to meet in Convention on the second Monday in October, for the purpose of forming such a Government, and suggesting an outline of the proposed Government.

"The motion was debated in detail and passed by an almost unanimous vote.

"The President appointed Mr. Moore, of Denver, Judge Wagoner, of Denver, Col. Allen, of Auraria, Mr. Bliss, of Golden City, and Mr. Gest, of Mountain City, on the proposed Committee.

"On motion the meeting adjourned with a suggestion that the Committee report their proceedings to a popular meeting to be held at seven o'clock this evening, in Denver, of the citizens of Auraria and Denver, for ratification."

"J. M. Ferrell, President."

"J. D. Henderson, Secretary."

The number of "citizens of Denver and Auraria" present at the "popular meeting" held in the evening of that day was much larger than that of "citizens of the Mountains and Plains" who had attended the daytime "Mass Convention". The committee appointed to draft the "circular letter" had been industriously at work during the short interval, and were ready to submit the document to the meeting. The following is the "official report" of what was done by the assemblage:

"At a Mass Meeting, held at the Denver House, in Denver City, Territory of Jefferson, Judge Slaughter was called to the Chair, and Wm. P. McClure chosen Secretary.

"The report of the Committee appointed this morning to report a Circular Letter to the people of the Territory of Jefferson being called for, Mr. Moore, Chairman of the Committee, proceeded to read the same.

"After the reading, Mr. Allen moved to read the report by paragraphs—*carried*.

"Mr. Moore then read the first paragraph of the suggestions of said report.

"Judge Smith moved to add to the words 'and one additional delegate for each fifty voters' the words 'cast at said election'. After discussion the motion was put and *lost*.

"The question was then put on the first paragraph which was *carried*.

"Mr. Moore then read the second paragraph of said report, which was, on motion, adopted.

"Mr. Jeffries then moved to adopt the report as a whole—*carried*.

"On motion of Mr. McClure, one thousand copies of the report were ordered to be printed and distributed, and a Committee on Finance, to consist of three, was appointed to collect means to defray the expense of the same.

"Messrs. Wm. P. McClure, A. Sagendorf, and C. H. Blake, were appointed said Committee.

"On motion the meeting adjourned.

"Wm. M. Slaughter, President."

"Wm. P. McClure, Secretary."

The "circular letter" read as follows:

"To the Voters of Jefferson Territory."

"We, the undersigned, a committee appointed at a meeting of the citizens of the Territory of Jefferson, holden in Auraria, on the 24th day of September, A. D. 1859, to prepare a circular letter to the voters residing upon the public domain proposed to be embraced within the limits of said Territory, setting forth the necessity for a Provisional Government, to continue till such a time as Congress may give them a regular Territorial or State organization, and recommending them to appoint or elect Delegates on the first Monday in October, to meet in convention on the second Monday in October, in the city of Denver, for the purpose of forming such a government, would respectfully represent:

"That every principle of common safety, of the protection of life, the preservation of liberty and the security of property, justifies them in, and compels them to this course; and that such action is admissible the precedent of Oregon is an instance in point.

"That the executive and judicial powers of the Territory of Kansas are too far removed to be available for the ordinary purposes of government, and that the people residing within the Territory of Jefferson are consequently without any form of government, or any established judiciary, civil or criminal.

"That large numbers of people have congregated in the mountains and on the plains of said Territory, and have there made their homes, that property has been acquired, commerce established, farms opened and cultivated, towns built and communities formed, for the purpose of trade and social comfort, and absolutely require the safeguards of a regularly established government for the protection of their numerous interests.

"That the emigration from the States in the spring will be large, and the business transactions of the country proportionally extended, imperatively demanding a positive and well-defined judiciary for their regulation; therefore the undersigned would respectfully and earnestly recommend that the voters of the several precincts do, on the first Monday in October, appoint or elect delegates, on the ratio of one delegate from each precinct, and an additional delegate for each fifty voters, to meet in convention in the city of Denver, on the second Monday in October, to form such Provisional Government.

"The committee would further respectfully suggest that the proposed Provisional Government should consist of an Executive Department, embracing a Governor, Lieutenant Governor, Attorney General, Secretary of State, Treasurer, and

Territorial Marshal; of a Legislative Department, consisting of an Assembly, to be known as the Provisional Assembly; of a Judiciary, consisting of three Judicial officers, to be known as the Supreme Judges of the Territory of Jefferson; and that the several departments of government shall have such powers as are entrusted to like officers in territorial governments, with such modifications as may be determined upon by the Convention."

"JOHN C. MOORE,"

"S. W. WAGONER,"

"J. H. GEST,"

"HENRY ALLEN."

The following reference to and comments upon these preparatory proceedings for the organization of a Provisional Territorial Government, appeared as an editorial article in the *Rocky Mountain News*, in its issue of September 29th (1859):

"Provisional Government."

"It will be observed from the proceedings of a Mass Convention, and an address to the voters of the Territory, published elsewhere in this paper, that the people, in their wisdom, are taking steps for the organization of a Provisional Territorial Government. This we think an excellent movement, and the only one for the security of our lives and property that can now be adopted. We are heartily in favor of it, and say, by all means, go on, and speedily, so that we may have some kind of law and order, and do away with the lawlessness and disorder which now exists throughout the country. Send up your delegates and let us have a rousing Convention on the tenth of October.

"One thing puzzles us: We cannot for the life of us, see how men who so bitterly opposed a State organization, can now take up with a Provisional Territorial organization; one is as much at variance with the laws of Congress as the other, and equally as expensive to the people. Claiming the rights of a State, we would have *three* representatives knocking for admission at the doors of Congress and urging our claims and rights there, whilst as a Territory we can have but *one*, and under present circumstances with no better credentials than might have had our *three*. It must be that these Territorial champions are in favor of *rotation* in office, or hope for rapid promotion, so, perforce, we must have a *Provisional Territorial Government* for, say six months, then a *Territorial Government* under an organic Act of Congress for, perhaps six months longer, by which time we have no doubt every mother's son of them will be clamorous for a State Organization, and we will have population sufficient to demand recognition without delay. There may be 'nothing in a name', but we would prefer living in a State to a Territory, when the expense is the same; neither is recognized by Congress, and either has an equal chance with the other of being so recognized. But let us go forward now and have the best possible organization, and urge our claims for something better."

In response to the appeal sent forth by the "mass"-meetings of September 24th, elections for delegates to the proposed Territorial convention were held in a majority of the "precincts", including some that were unknown before, on the first Monday in October—the third day of the month, and an appointed election-day in Kansas Territory. Of this opportunity for voting, advantage was taken to hold two other elections, one of which was for a "Delegate in Congress from Jefferson Territory", and which had been suggested and urged by the *Rocky Mountain News*. In its issue of September 17th, in an editorial article commenting upon the defeat of the State project, that masterful pioneer newspaper had said:

" . . . It now remains for the people of Jefferson to elect a Delegate to Congress at the October election. Let him be a good man and true—a man who will command respect in the Federal Capitol and the Congress of the nation—one who will work untiringly, and for the interest of the Territory; and let every man in the

Territory cast his vote, so that our delegate may take his place, backed by a constituency so numerous that it will command the *immediate* attention of Congress, and secure his early recognition; then we may expect something. A territorial government, post routes, military protection on our frontier, extinguishment of the Indian title, and a survey of the government lands, are all of vital importance to our country.

"We learn that it is understood by some that members of a Territorial Legislature are to be elected in October. Such is not the case. There is no provision for the election of any officer except Delegate to Congress, and that is only by resolution of the [State] Constitutional Convention.

"Remember the first Monday in October, and let every man who is entitled to a vote cast it for Delegate to Congress.

"Should the candidates be announced before our next, we may take occasion to canvass their merits."

The "State" constitutional convention had made no "provision" for the election of a "Delegate to Congress". The only proposition that was brought before that body for such an election was contained in the report of the minority of the Select Committee appointed to consider "the proper course for this convention to pursue", which report was rejected by the convention. Therefore this election was "unauthorized".

Nevertheless, there were seven candidates for the position of ambassador at Washington—Samuel Adams, Hiram J. Graham, C. A. Roberts, R. W. Steele, J. H. St. Matthew, Beverly D. Williams, and George M. Willing. The election was conducted recklessly, with "terrible ballot-box stuffing" as one of the accompaniments, and "returns" were sent in from several alleged "precincts" of which no one ever had heard before. However, Beverly D. Williams, who had come to Denver late in the spring of that year as pioneer local manager of the Leavenworth & Pike's Stage and Express Company, emerged from the scrape with a large plurality of the honest votes. It was in behalf of Willing that the worst of the frauds had been committed, and nominally he was elected. But after the returns had been sifted and upward of 2,000 bogus votes thrown out the result stood as follows: Williams, 1,911; Graham, 682; Adams, 528; Roberts, 486; Steele, 433; Willing, 265; St. Matthew, 80—a total of 4,385. In the report of the "Board of Canvassers" it is said that "George M. Willing personally appeared before us, and stated that he did not wish the commissioners to count any votes for him which they thought were fraudulent, and stated that some of these were fraudulent". But Williams did not get his "Certificate of Election" without noisy protest. All the returns were questioned more or less, their validity disputed, the "Board of Canvassers" was reviled, and there was much wrangling over the result as at last formally determined. But the entire proceedings were without authority of law. That part of the Pike's Peak region lying within the limits of Kansas and Nebraska Territories had been, was, and would be represented at Washington by the Delegates from those Territories, who would continue lawfully to represent them until Congress decreed otherwise.

The other "extraneous election" held on that politically-busy first Monday in October was for a complement of county officers for Arapahoe County of Kansas Territory. This was instigated by a small group of men who understood and appreciated at its full value the legal status, or lack of legal status, of all that was going on in local politics. Although "Montana County", as well as the others, of the Kansas act of February 7, 1859, practically had become reminiscences, these men knew that if any county

existed in the Pike's Peak country it was a county of Kansas Territory; and they decided that the old Arapahoe County still lived. The outfit of county officers "elected" in the previous March had not been superseded by any other form of county organization, but had, in a more or less nominal manner, together with the miners' and other emergency "courts", participated in supplying such of the substance of local "government"—which was not much—as had thus far been available in the new mining-region. Alleging that the "election" of A. J. Smith to the Legislative Assembly of Kansas Territory, in November, 1858, and also the "county election" of the previous March, had been held by the Pike's Peakers as citizens of Kansas Territory, the leaders in this new county-enterprise quietly arranged, on the eve of the election for delegates to the "Jefferson" Territorial convention, a full county ticket for the ancient Arapahoe County. The movement resulted in the "election" of the following-named officers: C. R. Bissell, Probate Judge; John H. Kehler, Sheriff; E. F. Clewell, Register of Deeds; L. W. Bliss, Treasurer; D. C. Collier, Attorney; R. L. Wootton, C. A. Lawrence, and J. M. Ferrell, Supervisors. There is no record of a vote for Representative in the Kansas Legislative Assembly.

Of this "election" and of the extremely muddled state of political affairs by which the Pike's Peakers now were confronted, the *Rocky Mountain News*, in an editorial article, in its issue of October 6th, said:

" . . . On the eve of the election, a county ticket for the 'county of Arapahoe, territory of Kansas', was started, and a full board elected by a small vote in two or three precincts, thus recognizing Kansas laws. So it goes: one day we understand that we are cut off from Kansas, the next, we have cut ourselves off, and will pay no regard to Kansas Legislation, but have an independent provisional government of our own; and the very next, when there is a chance for a petty office under Kansas laws, there are hundreds ready to enter the lists, and before their certificates of election are dry in their pockets, you will hear them lustily advocating 'independent government', and let Kansas go to the dogs. When this county scheme was started, why was it not carried out, and members of the Kansas Legislative Assembly elected also? Nobody seemed to have thought of that excepting two or three shrewd ones, who, we learn, received a few votes for representative, and under them will claim seats in the next Kansas Legislature, not the representatives of the people, but of a few of their friends.

"Here we go, a regular tripple-headed government machine; south of 40 deg. [40th parallel], we hang on to the skirts of Kansas; north of 40 deg., to those of Nebraska; straddling the line, we have just elected a delegate to the United States Congress, from the 'Territory of Jefferson', and ere long we will have in full blast a provisional government of Rocky Mountain growth and manufacture. This last we hope may succeed, and swallow up the delectable uncertainty of law now existing; where one man claims he lives in Arapahoe county, whilst his neighbor asserts that he is in Montana [Montana County, of the act of February, 1859,] where one man acknowledges Kansas laws and another says he is on Indian land where no law can reach. A compact of the people under any name, state, territory, or provisional government, if either can be effected, is better than the present; and if some such is not soon adopted, with a determination to abide by, and respect it, we bid fair to out-Kansas Kansas herself."

The small total of votes cast at the elections on October 3d afforded further evidence of the depletion of the Pike's Peak country's population, and was a profound surprise to every one who had personally taken part in the political movements, for at least five-sixths of the people who had entered the country in that year were qualified to vote. The several candidates for the position of "Delegate to Congress" had made rather an active

campaign during the intervening week, and it was commonly supposed that they would "get out a full vote". On the face of the returns from the election for "county officers", the number of ballots alleged to have been cast was greater than the aggregate reported for the candidates for the ambassadorship at Washington, including the frauds. The largest vote in the county election was for Sheriff, for which place there were three candidates, two of whom were "sporadic". Of the total of 8,089 votes returned for these, John H. Kehler was credited with 7,395. But it is probable that not less than two-thirds of them were fictitious.

The delegates elected to the Territorial convention assembled at Denver City on the appointed day. There were many new names and faces among them, for the majority of the number had not been members of the body which had framed the defeated constitution for a State; nor were they so orderly in their methods and proceedings. Of their transactions in convention, the following is a copy of the "official" report:

"Proceedings of the Convention to Form a Provisional Government for the Territory of Jefferson."

"Monday, October 10, 1859.—The Convention met at Apollo Hall, in Denver, at ten o'clock, A. M., and was called to order by the nomination of Mr. R. W. Steele, Chairman, and Mr. L. W. Bliss, Secretary, *pro tem*. After some discussion of the proper mode of procedure in the premises, it was moved that a committee of five be appointed upon Credentials. A motion to amend by substituting 'one from each Precinct' was carried after a lengthy debate and the Committee was appointed. On motion adjourned to two o'clock, P. M.

"Afternoon.—A session of the Committee on credentials extended beyond the hour for assembly. On the Convention assembling, H. P. A. Smith, Chairman of the Committee on Credentials, reported the following persons as being entitled to seats in the Convention.

"Empire Ranch.—George W. Weed.

"Nevada Gulch.—J. N. Odell, L. W. Link, S. M. Link, J. R. Beverly, R. C. Booth, Samuel Delaney.

"Rocky Mountain City.—Frank DeLaMar.

"Jefferson.—A. J. Allison, George W. Brown.

"Golden Gate.—W. G. Preston, S. W. Lincoln, Ed. Van Endart, H. J. Humley.

"Tarryall.—Jos. A. Gray.

"Beaver Creek.—D. C. Collier.

"Highland.—E. R. Parks.

"Illinois Central.—A. M. Smith, R. Barton, W. D. Arnett, G. W. Clearland.

"Denver.—Hickory Rogers, Wm. P. McClure, Samuel Bennett, John C. Moore, P. Talbut, A. G. Baber, S. W. Wagoner, B. D. Williams, G. M. Willing, O. B. Totten, Drake McDowell, C. H. Blake.

"Shian Pass.—R. S. Parks.

"Arapahoe.—E. R. Harris, G. B. Allen, A. S. White, E. Fitzgerald, J. Hatteman, J. C. Hark, H. Foot.

"Sanders' Ranch.—John Shear.

"Fort Eyrie.—Henry H. McAfee.

"Colona.—Wm. S. Foster.

"Auraria.—Wm. M. Slaughter, Thos. H. Warren, Charles L. Goldsir, Henry Allen, R. L. Wootton, Thos. Pollock, H. R. Hunt, J. M. Clark, W. H. Middaugh, M. G. Hickman, . . . Jeffards.

"St. Vrain.—C. P. Hall.

"Russellville.—N. G. Wyatt, M. C. Fisher.

"Huerfano.—B. F. Jeffries, A. N. Michee.

"Golden City.—J. M. Ferrell, A. L. Grey, L. W. Bliss, D. K. Wall, Wm. F. Owens.

"Smith's Ranch.—George E. Spencer.

"Spanish Bar.—A. Sagendorf.

"Pleasant Valley.—R. J. Frazier, D. Shaffer.

"Mountain City.—H. P. A. Smith, E. P. McGloshin, James Rariden, William Simpson, C. H. Noble, C. R. Bissell, Wm. Clancy, W. Smith, G. W. Cook, J. L. Merrick, J. H. Kehler, Charles McDuffie, E. Harris.

"Russell's Gulch.—G. L. Wood.

"Blue River.—J. M. Piper, S. G. Jones, J. Vanduzen.

"Gregory's Point.—. . . Storms.

"The report of the Committee on Credentials was adopted, and on motion a Committee on Permanent Organization was appointed. The Committee reported the names of the following officers:—President, R. W. Steele; Vice Presidents, H. P. A. Smith, J. M. Ferrell, H. Allen, G. E. Spencer, W. G. Preston; Secretaries, O. B. Totten, G. L. Wood.

"H. P. A. Smith requested his name withdrawn as an officer, not recognizing the Convention as necessary or proper.

"Report of Committee adopted.

"The Convention then went into Committee of the Whole, to consider the propriety of forming a Provisional Government. The Committee reported that it was expedient to form such government. Report adopted.

"Tuesday Forenoon [October 11th]. H. P. A. Smith spoke at large, denouncing the movement for the formation of a Provisional Government, and he entered the following protest against the action of the Convention:

"'Protest of H. P. A. Smith.'"

"'The undersigned, on the part of his office in this convention, hereby solemnly protests against the action of this Convention in attempting to organize a Provisional Government, for the following reasons, viz.:

"'1st. We now have all the laws that exist in Eastern Kansas, adopted under the Constitution of the United States.

"'2d. We have no legal right to form such a Government.

"'3d. This is not called for by the People, nor is it necessary or proper.

"'4th. It will abrogate all legal rights, and throw the country upon the results of a gigantic Vigilance Committee.

"'5th. Before such a government can be formed we shall have a proper and legal government from Congress.

"'6th. We have elected a Delegate to Congress asking for a Territorial form of Government, and are repudiating at the same time the laws of the United States.'

"' Respectfully,

"'H. P. A. Smith.'"

"N. G. Wyatt, on leave, read a plan for a Provisional Government, and on motion a Committee was appointed on said plan, which they reported recommending its adoption. Adopted.

"On motion the Convention proceeded to nominate officers [candidates for executive and judicial positions in the proposed provisional government], when the following names received the annexed votes for Governor:

"R. W. Steele, 51; J. H. St. Matthews, 35; H. Allen, 3; F. DeLaMar, 1; G. Brown, 1; H. H. McAfee, 1. Mr. Steele was declared nominated.

"Afternoon.—On motion a Committee was appointed to apportion the Territory into Council and Representative districts. The Committee reported the following districts:

"Council Districts."

| | | |
|------------|--|---------|
| "1st Dist. | The Precincts of Denver, Russellville..... | 1 Coun. |
| "2d " | Auraria, Plum Creek, Fort Eyrie..... | 1 " |
| "3d " | Golden City, Golden Gate, Arapahoe, Highland, Boulder..... | 1 " |
| "4th " | Dutch Gap, Snowy Range, Russell's Gulch..... | 1 " |
| "5th " | Pleasant Valley, Illinois Central, Nevada Gulch..... | 1 " |
| "6th " | Mountain City, Eureka, Gregory's point, Hull's Ranch..... | 1 " |
| "7th " | Colorado City, Two Blues, Tarryall, Fountain City, Huerfano.. | 1 " |
| "8th " | Fort Laramie, Colona, Jefferson City, Douglas City, St. Vrain, Fort Lupton, Sanders' Ranch, Empire Ranch..... | 1 " |

"Representative Districts."

| | | | |
|------------|--|---|-------|
| "1st Dist. | Denver, Russellville | 2 | Reps. |
| "2d " | Auraria, Plum Creek, Fort Eyrie..... | 2 | " |
| "3d " | Golden City | 1 | " |
| "4th " | Mountain City | 1 | " |
| "5th " | Nevada | 1 | " |
| "6th " | Russell | 1 | " |
| "7th " | Golden Gate | 1 | " |
| "8th " | Tarryall | 1 | " |
| "9th " | Two Blues | 1 | " |
| "10th " | Colorado [City] | 1 | " |
| "11th " | Boulder | 1 | " |
| "12th " | Jefferson, Deadwood, Gold Hill..... | 1 | " |
| "13th " | Illinois Central, Pleasant Valley..... | 1 | " |
| "14th " | Cheyenne Pass, Colona, Fort Laramie..... | 1 | " |
| "15th " | Arrapahoe, Highland | 1 | " |
| "16th " | Fountain City | 1 | " |
| "17th " | Spanish Bar, Snowy Range, Dutch Ranch, Jackson's Diggings.. | 1 | " |
| "18th " | Jefferson, Fort Lupton, Sanders' Ranch, St. Vrain, Douglas City, Empire Ranch, Mouth of Beaver..... | 1 | " |
| "19th " | Eureka, Hull's Ranch, Gregory's Point..... | 1 | " |

"It was resolved that Precincts not mentioned shall be attached to the nearest district.

"On motion a Committee was appointed to draft a Constitution for the Territory. Adjourned.

"Evening [Tuesday]. The nomination of officers was proceeded with; and—G. W. Bliss [C. R. Bissell] was nominated for Auditor; R. J. Frazier, Attorney General; J. L. Merrick, Marshal; H. H. McAfee, Superintendent of Public Instruction; O. B. Totten, Clerk of the Supreme Court. [The record is incomplete as to the nominations.]

"Wednesday [October 12th]. The Committee on the Constitution reported a Constitution which was received and discussed.

"Afternoon. A resolution endorsing the officers elected at the late election, was offered, and gave rise to a great deal of very warm discussion, but finally a compromise was effected so that the names of the elected candidates were omitted.

"Evening. The Constitution was adopted, and a Committee on Phraseology and Arrangement appointed, which Committee was instructed to request the publication of this report, and the Constitution in the Rocky Mountain News, the Gold Reporter [at Mountain City], St. Louis Republican, St. Louis Democrat, and in all other papers favorable to an organization.

"After the passage of Complimentary Resolutions and paying for the hall, the Convention adjourned *sine die*."

"R. W. Steele, Pres."

"O. B. Totten, Sec."

"The officers elected at the late election", referred to in the resolution which "gave rise to a great deal of very warm discussion" on Wednesday afternoon, were the county officers for Arapahoe County, Kansas Territory, who had been "elected" on October 3d.

In explanation of the causes of the very "scrappy" character of the foregoing report of the Territorial convention's transactions, the members of the Committee on Phraseology and Arrangement appended to it the following statement:

"The Committee on Phraseology and Arrangement would say that no regular report of the proceedings was kept by the Secretary and the Committee had, only, the fragments to make up a report from.

"In doing this, we have taken the liberty to bring together matters in the report which were separated by other proceedings, and in view of the difficulties in

the way of making a perfect report, the Committee would ask the indulgence of their former colleagues in the Convention."

"A. J. Allison."

"J. A. Gray."

"H. H. McAfee."

On the day after the convention adjourned, the candidates nominated by it for election to the several executive and judicial positions in the proposed new government issued a public address, as follows:

"To the People of the Territory of Jefferson."

"Denver, October 13, 1859."

"The undersigned regular nominees of the Convention which met at Denver on Monday, Oct. 10th, 1859, to form a Provisional Government for the Territory of Jefferson, would bespeak the careful attention of the people of the Territory to the following facts:

"1st. The laws of Kansas do not extend over us until the Indian title to the lands is extinguished; for proof of this we refer to the latter clause of Sec. 19th, of the Organic Act of Kansas.

"2d. We have no Courts of Criminal Jurisdiction or of Appeal, and the so-called County organization of the County of Arapahoe cannot be sustained by law if questioned in its authority. Beside, a portion of our population reside within the Territorial limits of Nebraska, without even the semblance of law for their protection.

"3d. Pending the action of Congress in our case we have no protection for life or property but the code of Lynch Law.

"4th. There is no probability that Congress will act in our case before next June.

"5th. It is highly desirable that we have a regular and safe Government *now*, and no man is safe in property or life without such Government.

"6th. Your Delegates in the Convention above referred to have used their best endeavors to form such a Government, and in doing so they have not forgotten that the main features in the Government so formed must be simplicity and economy; therefore, they have made the Organic Act [the Constitution] as simple as possible, so as to secure the rights of the people, and they have left all the salaries and compensations to be fixed by the representatives of the people in the Legislature.

"7th. It now becomes the duty of every good citizen who has the interests of his country at heart, to support the Government so formed, as it is our only resource against anarchy and confusion, and our only protection for life and property.

"8th. The above facts refute the arguments of certain factious persons against this Government; and in the inherent right which every community of people have to govern themselves in the absence of regular Government, we find a good and sufficient reason for forming a Provisional Government.

"9th. Your subscribers learn that an Independent Ticket of nominations has been set on foot since the adjournment of the Convention. This ticket is filled with the names of worthy men, doubtlessly, but still they are not the choice of the people's Delegates at the Convention. It now becomes the province of the people to judge between the two sets of Candidates before them, and your subscribers most earnestly conjure you to act in this matter in the way which will subserve the best interests of the community, without regard to the personal feelings or interests of any.

"10th. In conclusion we conjure you by all the ties of domestic life which it is proposed to protect against the ruthless hand of crime, by the obligations of good citizenship and the love of law and order which every true patriot should feel—to embrace this means of civil security which is presented by the Provisional Convention.

"Nominees of the Provisional Convention:

"For Governor,

"R. W. Steele,

"For Secretary,
"L. W. Bliss,
"For Treasurer,
"Geo. W. Cook,
"For Auditor,
"C. R. Bissell,
"For Attorney General,
"R. J. Frazier,
"Chief Justice,
"A. J. Allison,
"Associate Justices,
"J. N. Odell,
"J. Fitzgerald,
"Clerk of Supreme Court,
"O. B. Totten,
"Marshal,
"J. L. Merrick,
"Superintendent of Public Instruction,
"H. H. McAfee."

The provisions contained in the 19th section of the Kansas Organic Act, referred to in the foregoing address, respecting the rights of Indian tribes and their status under that act, and to which I have already referred, were identical in language and purpose with the provisions bearing upon the same subject that appear in Section 1 of the Organic Act for the Territory of Colorado, which is appended to the preceding chapter of this volume. Not having anticipated that settlements would spring up in the far-western confines of Kansas, the Federal Government still had made no treaties with the Indians of the Pike's Peak region to extinguish their title to the land or otherwise to affect their rights as these were defined in the Kansas Organic Act.

The "constitution" framed by the "Jefferson" Territorial convention was of unusual brevity and compactness, perhaps in compensation for some of its omissions and crudities—which defects could be eliminated by subsequent amendments. Still it was a fair document, in substance a condensed adaptation of the defunct constitution for a State, excepting as to details due to the differences in the form of government for which it provided, but retaining for the Territory the same boundaries that had been defined for the proposed State of Jefferson. According to the division of the great domain for legislative purposes, as reported by the convention's committee appointed to make the apportionment, one member of the upper house of the "General Assembly" was to be elected in each of the eight Council districts, and twenty-one members of the lower house from the nineteen Representative districts—the extra two being assigned to the districts (respectively the first and second) in which the twin "cities" of Denver and Auraria were situated. To avoid conflict with the consequences of previous local elections and other transactions by the people, it was provided that

"Contracts heretofore entered into are hereby affirmed, as also the official acts of officers; and all elections, and other acts of the people in their sovereign capacity with the officers-elect at such elections, are hereby endorsed.

The constitution appointed the fourth Monday of that October (the 24th day of the month) as the time for holding a general election for Territorial executive and judicial officers, and district elections for members of the Assembly, subject to the ratification of the constitution, which instrument was to be submitted "to a vote of the people" on that day, the form of

ballots to be "For Provisional Government" and "Against Provisional Government". Should the people approve the constitution, the General Assembly was "to convene at Denver on the first Monday in November, A. D. 1859", and might "adjourn to any other suitable place"; but the session was not to "extend to more than forty days, Sundays included".

The candidates on the Independent Territorial ticket, which had been "set on foot since the adjournment of the convention", were J. H. St. Matthew for Governor, Frank De La Mar for Secretary, R. S. Parks for Auditor, R. L. Wootton for Treasurer, Samuel McLean for Attorney-General, S. J. Johnson for Chief Justice of the Supreme Court, L. W. Borton (who received a few votes for Chief Justice) for Associate Justice, and Hickory Rogers for Marshal. The ticket had no candidate for Clerk of the Supreme Court nor for Superintendent of Public Instruction, and but one for Associate Justice.

At the election on October 24th, the total of votes cast was less than one-half the number that had been counted in the election for a Delegate to Congress. The constitution was ratified by a great majority of those who voted, there being 1,852 ballots in its favor to 280 against it. Mr. Steele was elected Governor by 1,547 to 460 for the head of the independent ticket. His associates on the convention ticket were successful by majorities of about the same magnitude. Of course there were charges of fraud, corruption, false counting and all the rest; but they availed nothing, although some of the doings on behalf of the winners were not entirely above reasonable suspicion.

In the district elections for members of the General Assembly, Henry Allen, W. D. Arnett, Eli Carter, James Emmerson, Mark A. Moore, D. Shafer, J. M. Wood, and N. G. Wyatt were elected to the Council; and J. S. Allen, William Davidson, A. J. Edwards, Thomas S. Golden, James A. Gray, C. P. Hall, J. N. Hallock, M. D. Hickman, Z. Jackson, Edwin James, S. B. Kellogg, William P. McClure, William A. McFadding, John C. Moore, Miles Patton, C. C. Post, William M. Slaughter, Asa Smith, J. S. Stone, and David K. Wall to the House of Representatives.

The elections for legislators did not turn out as contemplated by the convention, as no elections were held in five of the nineteen Representative districts. Moreover, the "campaign managers" consolidated the seventeenth and nineteenth districts with the thirteenth and gave the combination three representatives, and raised the representation of the fifth from one to three, and that of both the fourth and sixth from one to two. Still, the quota elected lacked one of having the number provided for by the apportionment.

It would seem that the Pike's Peakers now had had more than enough of politics and elections for that year. But they were not through yet. Just before the day appointed for the vote upon the "Jefferson" Constitution and for the election of officers and a General Assembly for the new Territory, a movement was started quietly in the Cherry Creek "cities" for holding still another election. It was prompted from eastern Kansas, and was the first positive assertion of Kansas authority the Jefferson people had encountered. On the 4th of that October, the voters of the eastern parts of Kansas Territory had ratified what was known as the "Wyandotte Free State Constitution". As the western boundary of their proposed State of Kansas was fixed at the 102d degree of west longitude, the part of Kansas Territory lying west of that meridian was to be cut off and left to shift for itself.

But Kansas was still a Territory; and, pending its expected admission into the Union, its regular Territorial general election was to be held on November 8th. Certain of the shifty Cherry Creek politicians, who knew well the illegal character of all the Jefferson proceedings, and instigated by influences from the eastern end of Kansas, determined to make that day the occasion for holding another election in Arapahoe County, of Kansas—a county election, the third in that year, for a representative in the Kansas Legislative Assembly, for a full outfit of county officers, and also to vote for a Delegate to Congress from Kansas Territory. In this enterprise they were joined by a small number of other citizens who, while not being active politicians, were in favor of accepting Kansas jurisdiction and obeying Kansas authority.

As may be imagined, this treasonable scheme aroused the utmost indignation among the Jeffersonians, and was condemned vehemently by them. Their sentiments were expressed vigorously in the following editorial article that appeared in the *Rocky Mountain News*, in its issue of October 27th, and in which the Kansas jurisdiction and the election about to be held under it are denounced and repudiated:

“ANOTHER ELECTION.”

“A movement is on foot for another election, being nothing more or less than to participate in the Kansas General election.

“Some of the wire workers of Eastern Kansas have already their champions, with instructions respecting this election, among us. It will be held on the 8th of November, and let us improve the breathing time yet allowed us to look into the merits of the case, and see how much we are really interested.

“Kansas has recently adopted a State Constitution, and expects and petitions admission as a State under it at an early day in the approaching session of Congress, which petition we have but little doubt will be granted. Then her existence as a Territory ceases so far as the State extends, but the remainder or the present Territory, that part of it west of the 102nd degree of west Longitude remains ‘Kansas Territory’, and will so remain until erected into a new Territory, or part of one.

“Now if a Delegate is elected from Kansas Territory, he is elected for two years, and will claim and retain his seat after ‘Kansas State’ is admitted, and just as long as he can influence and control the perpetuation of ‘Kansas Territory’; thus he becomes, in all probability, within a few months—the Representative of this part of Kansas, (Arapahoe County, so called) only: and what is likely to be his policy? It will be to *prevent* the organization of Jefferson, or any other Territory here, just so long as he can get eight dollars per day and forty cents per mile for traveling twice a year between Washington and Eastern Kansas, and can nurse his own pet schemes in Congress. Here is the whole end and aim of these political tricksters. We are expected to cast our vote, endorse and countenance this election, tie ourselves to the tail of ‘bleeding Kansas’, and put a weapon in ‘somebody’s’ hand to cut our own throat; our vote is not wanted because it is of much value—it can have but little influence in a general election, but only the more surely to entrap us. No Union-saving, self-sacrificing would-be Congressman has deemed it worth his while to show his face among us; we are not of sufficient importance, but he has ‘writ’ a letter for us to vote.

“We have just elected a Delegate to Congress from among us, to represent the *Territory of Jefferson*, one whom we all know, and whose interest is linked with our own. Let us not, before two weeks have passed, repudiate our man and our own acts, and submit ourselves to be represented by a man we know not, and for whom we may not cast a vote. We know nothing of the political condition of Eastern Kansas, which will of course control the election, nor can we have any idea of who will be elected.

“For ourselves, we are utterly and unconditionally opposed to this vile scheme, and most sincerely hope that the people of *Jefferson* will look on it in its true light, and allow the 8th of November to pass without casting a single vote. Kansas,

west of 102 deg., was cut off just to serve such a purpose as this—put a nice sugar plum in some demagogue's mouth. What show of authority is there for ordering an election in Arapahoe County—Kansas never had a right to organize it—it is at best a farce; as well might she have extended her jurisdiction and organized a county on the coast of Africa as to legislate over Indian lands.

"We have expressed our opinion pretty freely on this subject, for which, no doubt, some of our friends who desire official honors, will 'pitch into us', but we would say the same were we assured that our dearest friend would be the *lucky* delegate from Kansas. We are for the people and the Territory of Jefferson, first, last and all the time. We would not forward our cause, but on the contrary, blight our best prospects by participating in this last, lest, most complete and contemptible of all the election frauds that has been enacted in our short history as a community of American people."

However, and regardless of the fact that the preparations for it had been made too late for compliance with the Kansas registration law, the election was held on November 8th. But it was merely a formality, as the total of votes that were counted was less than 300. Only some ten or twelve "precincts" took part in it. The returns from the mining-towns which had participated were delayed in reaching the "Canvassing Board" beyond the limit prescribed by Kansas law, and therefore these were not included in the count. The "official report" showed that Sanders W. Johnson had received thirty-eight votes for "Delegate to Congress" from Kansas Territory, and W. J. Parrott twenty-two. For several of the county offices there were rival candidates, as for Representative in the Kansas Legislative Assembly, for which position Captain Richard Sopris was given 219 votes and David Gregory seventeen. John H. Kehler, who had no opposition, and who had been "elected" Sheriff on October 3d, now was again elected to that post of duty by 273 votes—the highest number counted for any of the offices. The "majorities" for the other successful ones who had had "opposition" averaged about 250. Captain Sopris was admitted to a seat in the Kansas Assembly in the following winter and served his term as "the member from Arapahoe".

In the meantime the executive and judicial officers of "Jefferson Territory" had been "sworn in" and the new governmental machinery put in motion. The members of the General Assembly had gathered at Denver City on November 7th and organized by electing Henry Allen President of the Council, and James A. Gray Speaker of the House; whereupon Governor Steele sent to his lawmakers his "First Annual Message", which teemed with good advice and worthy suggestions. By "law", the Assembly divided the Territory into three judicial districts and fixed the times of holding courts therein; the first term in each to begin on the first Monday in January, 1860. The act assigned Judge Allison to the First District, Fitzgerald to the Second, and Odell to the Third.

Considering the haste and confusion in which its members had been chosen, the Assembly appears to have been a creditable body; and, indeed, the "Provisional" organization as a whole had in it the making of a pretty good government—better than that of the average outfit possessed in that period by Territories organized under organic acts of Congress.

The *Rocky Mountain News* was a loyal supporter of the new and home-made establishment, as evidenced by the following editorial article, which appeared in its issue of November 10th:

"JEFFERSON."

"We, this week, banish 'Kansas' from our head date, and substitute *Jefferson* therefor, which we hope and expect to see stand until we can boast a million people and look around upon a city of a hundred thousand souls, having all the comforts and luxuries of the most favored. Then we will hear the whistle of the locomotive and the rattle of trains arriving and departing on their way to or from the Atlantic and Pacific. We have not sooner made this change, because we had no tangible existence, no organization as a distinct community, until the recent assembly of the Executive and Legislative officers of the Provisional Government of the Territory of Jefferson, which marks an epoch in our history, and a fitting time to make the change. The future of *Jefferson Territory*—soon to be a sovereign State—is glorious with promise. No country in the world, in so short a time, has developed so many resources of wealth. Not only the precious minerals—gold and silver—are found: but iron, copper, lead, alum, coppers, coal, cinnabar and numerous other minerals.

"We have the finest of building material, marble, limestone, sandstone, brick-clay, and inexhaustible forests of the very best pine timber. Our agricultural productions need not be poor in quality nor small in quantity. Wheat and other small grains can, and will be, produced without limit, at less comparative cost and of better quality than in the northwestern States, and to prove that all kinds of vegetables can be raised, to the greatest perfection, one has only to pay a visit to our vegetable markets.

"All hail the Territory of *Jefferson*!"

Nevertheless, the "Territory of Jefferson" still was a part of the old Territories from which it had been "carved". While it promised the people something that would serve in the emergency, and while almost anything in the form of organized government were better than the condition of no effective government at all, the new organization had no standing in law, and from the legal point of view was utterly destitute of authority. It was embarrassed at the start by the pretensions of the county officers elected on November 8th in asserting and to some extent exercising their authority as "officers of Arapahoe County, Kansas Territory", and also by the conduct of some of those who had been "elected" in the previous March, and of others, "elected" on October 3d, in continuing to assert and occasionally exercising theirs. As a makeshift remedy for a part of the muddle, the Jefferson Assembly, by an "act" approved on December 7th, confirmed the election of Sheriff J. H. Kehler. In this mixed-up condition of public affairs, the Pike's Peak-ers were at a loss to decide where they were "at" politically.

The Jefferson Assembly was an industrious body, and turned out laws at rather a rapid rate. Among these was one which divided the Territory into twelve counties, for nine of which forms of organization were provided, and for some of which Governor Steele appointed some officers to serve until the first Monday in January, 1860, on which day, as provided in the county-making act, elections for county officers were to be held. Another of the early acts consolidated Auraria City, Denver City, and Highland ("North Denver") as the municipality of "Denver City". Under this act, the "first city officers" for the Cherry Creek towns were elected on December 10, 1859, but the union was not formally approved by the citizens until the next April. Having levied a poll tax of one dollar to defray immediate expenses, and appointed committees to prepare full civil and criminal codes and report them to a later session, to be called by the Governor, the Assembly adjourned on December 7th to await the Governor's summons.

Pursuant to a proclamation by the Governor, issued on December 10th, the Assembly met in adjourned or special session on January 23, 1860.

Having adopted the codes reported by the committees and received the Governor's approval of the legislation, the lawmakers adjourned without day on January 25th, leaving the executives and courts well equipped to operate the Jefferson machinery. After the usual practice in that era by legislators in new Territories, the Jeffersonians took most of the material for their codes from those of the States and older Territories.

The purposes of the various other general "acts" of the Jefferson Assembly at that time are indicated in the following summary:

Defining the duties of Territorial officers; further defining the duties of the Governor; defining the qualifications of public officers; establishing a judicial system for the Territory; defining the duties of the Supreme Court; defining the duties of the District Court, regulating and authorizing writs of attachment and garnishment; to provide for the recovery of property by writs of replevin; for districting the Territory; defining the boundaries of counties; for the organization of precincts and for the election of officers thereof; organizing County Courts and defining their jurisdiction; providing for the election of county officers and for other purposes; establishing the office of county Treasurer; for appointing Notaries Public and defining their powers and duties; for establishing, opening and repairing county roads and highways; providing for raising Territorial and county revenues and collecting the same; defining the manner of taking up farming and other claims; concerning irrigation; for a general incorporation law: to provide for the incorporations of towns; to prevent intentional firing of woods and prairies in the Territory; concerning enclosures and trespassing animals; regulating wills; to create mechanics' and other liens; regulating licenses; establishing Courts of Justices of the Peace; to provide for payment of certain officers, and regulating fees; to give legality to decisions of Miners' Courts, and of meetings for other purposes; to provide a docket fee in the District and Supreme Courts; regulating fees in certain cases; authorizing officers to use private seals; further defining the powers and jurisdiction of Courts in the Territory; to authorize the formation of military companies; defining judicial districts and times of holding courts; confirming the election of J. H. Kehler as Sheriff, and fixing the limit of his authority under the Provisional Government; to provide for the expenses of the First General Assembly; to provide for payment of warrants; to provide for the redemption of warrants; to provide for payment of commissioners for the codification of the laws of the Territory; providing the form of warrants; regulating the taking up and posting of estrays; joint resolution providing for a Territorial Seal, and for other purposes.

In addition to the general "laws", several "special acts" were passed by the General Assembly. The most important of these was that to consolidate and incorporate the Cherry Creek towns. The others were for the incorporation of road, ditch, lumbering, bridge, hydraulic, town, and insurance companies.

The Jefferson Constitution provided that "every white male citizen of the United States, of the age of twenty-one years", excepting persons "convicted of any infamous crime", "shall be entitled to a vote at all elections held according to law". But the Jefferson "law" specifically denied the ballot to Indians, and to "negroes, mulattoes or black persons". Section 378 of the Jefferson civil code contains the following respecting witnesses in the courts of the Territory:

"Every human being of sufficient capacity to understand the obligation of an oath, is a competent witness in all cases, both civil and criminal, except as otherwise herein declared. But an Indian, a negro, or mulatto or black person shall not be allowed to give testimony in any cause."

The revenue system of Jefferson Territory, as established by "law", put a special tax on every occupation except those of farming and mining.

On storekeepers the tax was one-fourth of one per cent. on all merchandise offered for sale that was "not the growth, manufacture or product of the Territory"—a home-made protective tariff. The tax on gamblers was \$2.50 per month "on each table or other appliance used for gaming"—an open, specific licensing of gambling.

The Territorial seal provided for by a joint resolution of the Assembly, was to have been two inches in diameter, and to bear devices and legends as specified in the following language of the resolution:

"The Rocky Mountains to appear in the distance, at their base the foot plains reaching and covering the foreground of the same, on which an emigrant wagon is to be shown with emigrants carrying mining tools; with an inscription around the edge of the same (surrounding the above engraving) 'The Great Seal of the Territory of Jefferson'; and in the upper side of said circle to appear the words, 'The people are the government'."

It appears that the executives failed to have such a seal, or any other, made for the Territory. No imprint from a seal for Jefferson Territory yet has come to light, and according to the recollections of several surviving pioneers of that time none was made. However, the Jeffersonians never had much use for a seal.

The twelve counties into which the Assembly divided the vast area of Jefferson Territory were named Arapahoe, Cheyenne, El Paso, Fountain, Jackson, Jefferson, Mountain, North, Park, Saratoga, Steele, and St. Vrain. Some of these names are retained among those of our present counties, but the boundaries of the old divisions are not preserved in any. Some of the Jefferson counties were large enough to make a fair-sized State, but in only a part of them was there ever even an attempt made to form county organizations to operate under the Jefferson "jurisdiction."

An election for county officers for the Jefferson "Arapahoe County", in which the consolidated Denver City was situated, was held on January 2, 1860, the day appointed by the county-making "act", and at which a County Judge, a Treasurer, a Recorder, and a County Attorney were chosen. The last-named three of these were the same men who had been elected to the same places at the election on the 8th of the preceding November, under Kansas jurisdiction. On the same day, the voters of "Mountain County", which embraced the upper Clear Creek mining-districts, instead of voting for county officers, held an election to decide whether or not there should be such a county. The vote was 95 in favor of accepting the county and 395 against its recognition. So that was practically the last of "Mountain County". Moreover, some 650 of these rebellious miners joined in signing a protest against and a refusal to pay the poll-tax of one dollar, and sent the document down to Governor Steele.

It had been easy enough for the Jefferson Assembly to enact "laws", but the enforcement of them by the Territory's officers against any one who resisted was quite a different matter. The "act" to consolidate and charter the Cherry Creek towns (which had to be done over again by the first Legislative Assembly of Colorado Territory) was among the more effective of the Jefferson legislation. A city government was organized under it, because it was the most available "authority" at hand, and the best was made of whatever virtue the "act" carried. The greater part of the fealty to the Jefferson organization existed in Denver City and in the other towns in the "valley", as the plains along the base of the foot-hills then often were called.

But even in these communities, before the close of 1859, there was made "a determined effort on the part of some to break down the Provisional Government". While representatives of the people in a number of the mountain-towns and mining-camps had participated in organizing it, a large majority of the miners preferred the alert, sharp and quickly-effective government afforded by the "courts" of their local district-organizations, which they continued to maintain. Nevertheless, the Jefferson "courts" set out with considerable prestige, being upheld by the great body of citizens who were engaged in occupations other than mining; and for several months they transacted much the larger part of the general judicial business originating outside of the mining-camps.

The Provisional Government had extreme difficulty in obtaining funds for its Treasury, as payment of taxes levied by it was of the nature of voluntary contributions rather than of that of discharging first-lien obligations imposed by law. Through the spring and summer of 1860, the financial as well as other embarrassments were aggravated by the waning public confidence in the organization. Congress had paid no attention to the appeals for the recognition of the Territory by law, and thus to legalize it. The cloud of illegitimacy was settling lower and lower upon it, and its inherent impotence was becoming too obvious for even its most ardent partisans to deny.

Furthermore, the superiority of the Kansas jurisdiction, however dubious it might prove to be, was accepted by the great majority of the people when the more direct of their affairs were involved; such, for example, as titles to real estate, in transfers of which the property was considered to be in Kansas Territory. While most of the men closely interested in the various pioneer town-companies had participated actively in the movement for a provisional government that finally resulted in the organization of Jefferson Territory, the companies, as such, never recognized it. In all their business transactions they kept within "Arapahoe County, Kansas Territory", as shown by their records, town-lot certificates and deeds for real property. It appears that in no instance of a transaction by them in real estate did "Jefferson Territory" figure in the "papers" of the case.

Although his governmental establishment now was betraying much debility, both in itself and in the estimation of the people, Governor Steele, not entirely disheartened by the situation, issued at Denver City, on September 18th (1860), a proclamation for the election, on October 22d, of Territorial officers and members of the General Assembly; the Jefferson Constitution having provided for annual elections on the fourth Monday of that month. The proclamation concluded with the following frank warning:

"All persons who expect to be elected to any of the above offices should bear in mind that there will be no salaries or per diem allowed by this Territory, but that the general government will be memorialized to aid us in our adversity. All officers whose fees are fixed by law will, of course, receive them as therein directed."

From "incomplete reports" of the Federal census of that year, which were received at Denver City about the time Governor Steele issued this proclamation, it was "estimated" that the Pike's Peak part of Kansas Territory contained about 48,000 people, exclusive of Indians; and that there were between 12,000 and 15,000 in the western end of Nebraska. But it was expected that from 10,000 to 12,000 of the total of this population yet would return to the States before the oncoming of winter. However, as we shall

see upon a later page of this volume. that census, which was made in August and the early part of September, enumerated fewer than 35,000 persons in all the American settlements and Mining-camps in the western end of Kansas Territory.

About that time, a group of prominent citizens of Denver, who had resolved that the city should "secede" from Jefferson Territory and establish a "Provisional Government" for itself, quietly held a meeting and appointed from their number a committee to draft a "constitution" for the contemplated new organization. In the evening of September 22d, a mass-meeting of citizens was held to consider the constitution prepared by the committee for "The People's Government of the City of Denver". It was heartily approved by the meeting and ordered to be submitted to a vote of the people on the first Monday in October (the first day of the month), on which day the officers for which the document provided were to be elected, subject to the ratification of the constitution. At the election on October 1st, the new "Fundamental Law" was adopted by a vote almost unanimous—1,122 to 11—and the required complement of officers was chosen. So Denver City passed from under the "jurisdiction" of Jefferson Territory.

Nevertheless, the Jeffersonians held their Territorial election on October 22d, at which they elected R. W. Steele, Governor; L. W. Bliss, Secretary; C. R. Bissell, Auditor; Samuel McLean, Attorney-General; J. Bright Smith, Chief Justice; William Bracket and C. C. Post, Associate Justices; and Reuben J. Borton, Marshal. Only one of these, Chief Justice Smith, was rated as a citizen of Denver City, and most of the others hailed from the mining-towns. None had any opposition. Although W. Green Russell was named as a candidate for Treasurer, it appears that no one was chosen for that office, which now had become the most nominal of official positions. It was claimed that elections for members of the General Assembly were held in the several counties of Jefferson, but whether they had been or not was no longer a matter of great public interest. However, a number of members-elect sufficient to form an Assembly duly appeared in Denver with certificates of election. The total vote was small, the largest number returned for any candidate being a thousand or so for Governor Steele.

A vote not "authorized" by Governor Steele's proclamation also was taken on that election-day. This was to determine whether the Jefferson Government should continue to be recognized or be abandoned. Outside of Denver, the Territorial organization was sustained by those who voted on the question, but in the capital city the vote was next to being solidly in favor of formally extinguishing it. The Denver people had become still further alienated in consequence of a recent conflict of "authority" between the Jefferson organization and their new Provisional Government.

In the meantime, some of the politicians together with more or less of the inhabitants of the Clear Creek mountain-towns and mining-camps, moved by the example of Denver City, had elected delegates to a convention which was to provide for extinguishing Jefferson and establishing a new form of "government" in its stead. These delegates met at Central City on October 24th—before the result of the Jefferson general election had been determined—and after having been in session two or three days adopted "An Act for a Judiciary System". "Be it enacted", said this document, "by the People of Idaho Territory in Convention assembled, That

the Territory of Idaho be divided into three Judicial Districts", etc. The name "Idaho" was that which had been proposed in bills for a Territory in the Pike's Peak country that had been under consideration by the Thirty-sixth Congress in its first session. Each of the proposed judicial districts was to have a Judge, a Sheriff, and a Clerk; and the courts so constituted were to be the sole governing agencies in the country embraced by the boundaries of Jefferson Territory until "a Territorial organization is provided for by the Congress of the United States, and such organization put in operation". The "Act" was to be submitted to a vote of the people on November 20th.

It was by this convention that "Colonel" Charles H. Morgan was elected "Delegate to Congress", to supersede Beverly D. Williams, the "Delegate from Jefferson Territory", who, according to the views of the Central City body, had been elected in 1859 to serve only during the first session of the Thirty-sixth Congress. Moreover, that body had extinguished Jefferson Territory and was acting for "Idaho Territory".

On November 20th, the Idahoes went through the forms of holding an election, and so "ratified" the "Act for a Judicial System". But the enterprise soon collapsed, leaving Delegate Morgan as its only tangible result.

The Jefferson "Second General Assembly" met in Denver on November 12th, and organized by electing J. C. Bowles to be President of the Council, and S. W. Wagoner to be Speaker of the House. Again Governor Steele delivered to his legislators an excellent message. But the hand of Death was upon the Assembly. It had extreme difficulty in obtaining and holding a quorum, and in the excitement over the result of the Presidential election and the startling news of threatened secession from the Union by the States of the South the Assembly and its doings commanded but little attention. After having accomplished some "legislation", it adjourned, on November 27th, to Golden City, the principal reason for the change of base being that that ambitious town offered board at six dollars per week—"wood, lights and hall rent free". As these lawmakers were serving without pay, the Golden City inducements were persuasive. At Golden City, the Assembly dragged out the remaining days of the session, sometimes with a quorum present and sometimes without. Members were indifferent, and took but little interest in the proceedings, which, by that time, had become mere playing at legislation. So the second and last of the Jefferson Assemblies went the way of all earthly things.

Shortly before its demise, it had made a heroic effort to win public attention by a proposition to convert the Territory into the "State of Jefferson". An "act", which was approved by the Governor on December 12th, provided for holding a convention of delegates to prepare a State constitution for Jefferson. But the project was not favorably received, and nothing came of it.

Governor Steele and his associate executives nominally held on until the Territory of Colorado came into existence, and it was not until June (1861) that "Jefferson Territory" made its last gasp. On the 6th day of that month, Governor Steele issued at Denver City the following proclamation announcing the arrival of Governor Gilpin, the institution of the Government of Colorado Territory, and the outpassing of the picturesque organization of which he had been the head for upward of eighteen months:

"PROCLAMATION."

"By virtue of the authority in me vested, I, R. W. STEELE, Governor of the Territory of Jefferson under the Provisional Government, and in and by virtue of my election by a majority of the People of the then called government of the People of the Mining Region, unrecognized by the General Government, at the base of the Rocky Mountains, on the East and at the center thereof, and placing our confidence in that 'Over-ruling Providence' that has for a long period of time, steadied us as an American People, through so many difficulties by foes seen and unseen, I therefore issue this my proclamation in view of the arrival of Governor Wm. Gilpin, and other officers of the United States, whom I recognize as being duly in authority. I deem it but obligatory upon me, by virtue of my office, to yield unto 'Cæsar the things that are Cæsar's', and I hereby command and direct that all officers holding commissions under me, especially all Judges, Justices of the Peace, &c., shall surrender the same and from this date shall abstain from exercising the duties of all offices they may have held under me by virtue of said commissions, and further I advise and recommend to all law and order loving citizens to submit to the laws of the United States and restrain themselves from deeds of violence which so long have made our *peculiar position* almost a bye word in the eyes of the civilized world. Again I advise my fellow citizens who know me 'so long and so well', to yield obedience to the Laws of the United States, and do it by attending to your proper and legitimate avocations whether Agricultural or Mining."

"R. W. STEELE, Governor."

"By the Governor,

L. L. BOWEN, Acting Secretary of the Territory of Jefferson."

"Done at Denver this 6th day of June, A. D. 1861."

CHAPTER XVII.

TERRITORIAL GOVERNMENT.—COLORADO'S POPULATION IN 1861.—POLITICAL CONDITIONS IN THE SUMMER OF THAT YEAR.—REASONS FOR THE DELAY IN INSTITUTING THE GOVERNMENT.—GOVERNOR GILPIN'S MESSAGE TO ITS FIRST LAWMAKERS.—THE LEGISLATIVE ASSEMBLY.—LEGISLATION BY THE FIRST.—DIVISION OF THE TERRITORY INTO COUNTIES.—THEIR PROVISIONAL COUNTY SEATS.—PERSONAL NAMES GIVEN TO COUNTIES.—DIMENSIONS OF THE LARGER COUNTY DIVISIONS.—JUDICIAL DISTRICTS OF THE TERRITORY.—ORGANIZATION OF THE COUNTIES.—INCORPORATION OF THE CITY OF DENVER.—MEETING OF THE SECOND ASSEMBLY.—THE TERRITORY'S WANDERING CAPITAL.—RIVALRY BETWEEN DENVER, COLORADO CITY, AND GOLDEN FOR THE HONOR AND ADVANTAGE IT WOULD BESTOW.—MIGRATIONS OF THE TERRITORIAL SEAT OF GOVERNMENT.—COLORADO CITY'S BRIEF POSSESSION OF THE PRIZE.—CIRCUMSTANCES OF ITS RETURN TO DENVER.—GOLDEN CITY BECOMES THE CAPITAL.—ITS FINAL LOCATION AT DENVER.—SESSIONS OF THE LEGISLATIVE ASSEMBLIES.—HOMELESS CONDITION OF THE GOVERNMENT.—TERMS OF THE TERRITORIAL GOVERNORS.—FREQUENT CHANGES OF THE EXECUTIVE.—THE TERRITORIAL SECRETARIES.—TERMS OF THE FIVE MEN WHO HELD THE OFFICE.—DUAL GOVERNORS.—COLORADO'S DELEGATES IN THE FEDERAL CONGRESS.—PERIODS OF THEIR TENURE.—ADMINISTRATIONS OF THE TERRITORIAL GOVERNORS.—CHARACTER AND SERVICES OF GOVERNOR GILPIN.—GOVERNOR EVANS' ABILITIES AS AN EXECUTIVE, AND HIS POLITICAL AMBITIONS.—UNPOPULARITY OF GOVERNOR CUMMINGS.—HIS OFFENSIVE PERSONAL TRAITS AND STAINED REPUTATION.—HIS RESIGNATION AND DEPARTURE FROM THE TERRITORY A RELIEF TO THE PEOPLE.—GOVERNOR HUNT'S ADMINISTRATION.—GOVERNOR M'COOK.—RESPONSIBILITY FOR PECULATION IN INDIAN AFFAIRS LAID AT HIS DOOR.—GOVERNOR ELBERT AND HIS WORTHY MOTIVES.—REAPPOINTMENT OF M'COOK.—HIS FORCED RESIGNATION.—ADMINISTRATION OF GOVERNOR ROUTT.

When the Government of Colorado Territory went into full operation, early in the autumn of 1861, the new political division had a small population. In consequence of the secession movement and the call to arms from both sides, several thousands of men had abandoned their interests in the Pike's Peak country and departed for their former homes before the 1st of July, there to prepare for engaging in the conflict. The 25,331 persons enumerated in the census which was taken in that summer consisted of 18,136 white males over twenty-one years of age, and 2,622 under twenty-one years; 4,484 white women and feminine children; and eighty-nine negroes. But in the meantime, after the news of the Battle of Bull Run had reached the Territory, the total of the census was reduced by a further exodus of men determined to take part in the war as members of military organizations formed in the States from which they had come. Therefore it is probable that the white population of the Territory in midautumn of 1861 was not more than 23,000.

At the time of Governor Gilpin's arrival, about three-fifths of the Territory's voters were Democrats, while the remainder were Republicans. But the Democrats were divided; a large number of them, though perhaps not a majority, having been followers of Stephen A. Douglas, therefore as a body were ardent supporters of the Union Cause. Gilpin was a Republican,

and had taken part in the national campaign of 1860 in behalf of Lincoln's election to the Presidency; Republicans and Douglas Democrats constituted a substantial working-majority of the membership of the Legislative Assembly: and a Douglas Democrat had been elected to serve as Delegate in Congress. As the judges and the minor executive officers appointed by the President also were Union men, the Territorial government as a whole afforded those who were in sympathy with the seceded States no reason for expecting the least encouragement or comfort from it.

The total of the vote cast for members of the Legislative Assembly at the election held on the 16th of August was 10,580, but it was considered by many that the strength of the Union and Disunion elements in the population at that time had been indicated with a nearer approach to certainty by the vote for Delegate in Congress, although this aggregated almost one thousand less. Of the total of 9,597 votes cast for the two candidates for that office, the loser in the contest received 2,898. While this result evidently was a fair demonstration of the strength of the sympathizers with the South, some Union men were known to have voted for the unsuccessful candidate for reasons that were made up of personal friendship and belief in his professions of aversion to the doctrine of secession.

Had the funds provided by Congress for the support of the Colorado Government in the general appropriation act which was approved on March 2, 1861, been made available immediately, it is probable that the governmental machinery of the new Territory could and would have been put into operation some two months earlier than the time at which that event came to pass. But the appropriations carried by that act were for the fiscal year ending June 30, 1862, and therefore none was accessible until on and after July 1, 1861. However, it is doubtful whether an earlier organization would have been for the better. That part of the Territory's population which was in sympathy with the purposes of the seceded States was much stronger in the first month of that summer than in the last, and probably would have obtained a larger representation in the Legislative Assembly had the election of the members of that body occurred in the middle of June instead of near the middle of August. Moreover, it is likely that had Governor Gilpin arrived two months sooner and attempted in May and June to make the military preparations in behalf of the Union that he accomplished in July and August he would have been more seriously embarrassed. Even at that time, when, as I relate in the next chapter, he was collecting rifles and shot-guns from among the people and procuring ammunition for this miscellaneous assortment of weapons, with which his first companies of troops temporarily were armed, he came into sharp competition with Colorado Confederates who were engaged in a like hunt for guns. Because of the conditions implied by these circumstances and others arising from the same causes, the Union men took a conservative but firm course in order to avoid the possibility of having a clash precipitated while completing the Territory's governmental structure.

Governor Gilpin's message to the First Assembly is a long and interesting document, containing not only wise recommendations and good advice, but also a number of propositions that were truly original. Execution of all the measures he propounded was hopelessly beyond the financial resources of the Territorial Government. He dwelt with much emphasis upon the importance of upholding and strengthening the powers and influence of its

judicial and military divisions of authority, which he held to "constitute the bulwark of our liberties".

Under our system of Territorial government, the lawmaking body, officially the "Legislative Assembly", consists of the "Council", or upper branch, which corresponds to a State Senate; and the "House", or lower branch, which is equivalent to a State House of Representatives. Colorado's First Assembly, the members of which, as I have already told, were chosen at the election appointed by Governor Gilpin in July and held on August 19, 1861, was, as a whole, an organization of earnest and sensible men; and, while it did not give the form of law to all the recommendations made by the Governor, it coöperated harmoniously and maintained cordial relations with him. It had much constructive work to do, and in the main discharged its duties excellently. The civil and criminal codes which it enacted, and which were the first lawful local laws—if such a term be admissible—that applied to the people in the Pike's Peak country, were based in the main upon those of Illinois, the principles of which had been thoroughly expounded by the courts of that State. No occasion arose during the entire Territorial period to make any great changes in these codes. Various acts, decisions, and practices made and established by the emergency courts and other organizations in the years of no law were recognized and ratified, and provisions also were made for the determination of unsettled affairs that had arisen during that period by the Territorial courts. A joint resolution declaring the fealty of the Territory to the National Government was adopted, and approved on October 3d; by another, the acts of Governor Gilpin, including his extraordinary proceedings in connection with his military preparations, prior to the meeting of the Assembly, were confirmed, so far as that body had power to validate them; the Territory was divided into seventeen counties and three judicial districts, and provisions were made for the due organization of the former. Memorials to Congress asking for the establishment of a branch mint in Denver City, for the betterment of mail facilities in certain parts of the Territory, and for the increase of the compensation to members of the Assembly from the three dollars per diem allowed by the organic act to six dollars, were adopted and sent forward. But, as may be remarked here, this desired raise of the legislators' pay was not accorded until 1867.

The first Assembly also provided by law for increasing its membership to thirteen Councilmen and twenty-six Representatives, which constituted the full number permitted by the organic act. The law provided for the election of the additional members to take place on December 2d, of that year; that another session of the Assembly should begin on the first Monday in June, 1862; and that subsequent sessions of the lawmaking body should begin on the first Monday in February in each year—a programme which was changed by the Third Assembly. Having concluded its deliberations, the First Assembly adjourned on November 7th.

The act by which the Assembly divided the Territory into seventeen counties, and which was approved by the Governor on November 1, 1861, also located their county seats temporarily, and which were to serve until the preference of their people should be expressed otherwise. The names of the counties and of their provisional county seats follow here.

Arapahoe County, its county seat to be at Denver City.

Boulder County, its county seat to be at Boulder City.

Clear Creek County, its county seat to be at Idaho.

Costilla County, its county seat to be at San Miguel.

Douglas County, its county seat to be at Frankstown.

El Paso County, its county seat to be at Colorado City.

Frémont County, its county seat to be at Cañon City.

Gilpin County, its county seat to be at Central City.

Guadalupe County, its county seat to be at Guadalupe. By an act approved six days later (on November 7th), the name of this county was changed to "Conéjos".

Huerfano County, its county seat to be at Autubee (Autobeas' ranch, at the mouth of the Huerfano River, and upon which there was a small settlement of Mexicans).

Jefferson County, its county seat to be at Golden City.

Lake County, its county seat to be at Oro City.

Larimer County, its county seat to be at La Porte.

Park County, its county seat to be at Tarryall City.

Pueblo County, its county seat to be at Pueblo City.

Summit County, its county seat to be at Parkville.

Weld County, its county seat to be at St. Vrain (which consisted of a few cabins at the site of Fort St. Vrain).

Only six of the provisional seats of county government—Denver, Boulder, Cañon City, Central City, Golden, and Pueblo—have continued to be county seats to the present time.

As the reader may observe, personal names were given to several of the counties. "Douglas" was in memory of Senator Stephen A. Douglas, of Illinois; "Frémont" honored the "Pathfinder"; "Gilpin" was, of course, a compliment to the Governor; "Jefferson" commemorated Thomas Jefferson; "Larimer" was for General William Larimer, whom the reader of this volume knows as a leading pioneer of Denver City; and "Weld" was a recognition of the worth of the Territory's first Secretary.

Eight of the counties were of great dimensions, and a large area in the southeastern quarter of the Territory, between Douglas County and the Arkansas River, which had by treaty been defined and set apart as a reservation for the Arapahoe and Cheyenne Indians, was not included in the county divisions. The entire western slope together with the North Park, the mountain valley of the Arkansas above the site of the present town of Buena Vista, the Rio Grande Valley above the north line of New Mexico, and all that part of the drainage basin of the San Juan River that lies within Colorado, were embraced by Summit, Lake, Costilla, and Conéjos counties. These nominally included the whole of the ranges of the Ute Indians, for whom specific reservations were provided in that part of the Territory in later years. Weld County, in the northeastern quarter of the Territory, was considerably larger than the State of Vermont; Arapahoe, long and narrow, extending from the eastern boundary of the Territory to the 105th meridian, which marks the eastern line of the present Jefferson County, was a match for the State of Connecticut as to size, and which it retained until a few years ago; Douglas, also long in proportion to its width, stretching from the Territory's eastern boundary to the western limits of the present county of that name, contained about as many square miles as are in Connecticut and Rhode Island combined; and Huerfano, lying south of the Arkansas River and of Pueblo County, and extending to the southern boundary of the

Territory, was even larger than Weld, as it spread from the eastern boundary to a north-and-south line lying several miles west of the 105th meridian.

The act dividing the Territory into three judicial districts, which superseded the temporary divisions that Governor Gilpin had made in July, was approved on November 8, 1861. The counties of Arapahoe, Boulder, Douglas, El Paso, Larimer, and Weld constituted the First District, to which Chief Justice Hall was assigned. The Second District consisted of the counties of Clear Creek, Gilpin, Jefferson, Park, and Summit, and to which Judge Armour was assigned. The Third, assigned to Judge Pettis, included the counties of Conejos, Costilla, Frémont, Huerfano, Lake, and Pueblo. The districts practically were the same territorially as those which had been defined by the Governor.

The official machinery of a majority of the counties was organized during the winter of 1861-62, and by the coming of the following spring was in operation in these in varying degree of efficiency.

Another of the more important enactments of the Territory's First Assembly was a measure, approved November 7th, incorporating Auraria, Denver, and Highland as the City of Denver, otherwise "Denver City". The act was substantially the same as the "law" by which the "First Assembly" of "Jefferson Territory" had consolidated and "chartered" the towns under the same name, and which was "ratified" by their citizens in the fore part of April, 1860. The act of incorporation by the Colorado Assembly gave Denver City its first lawfully-constituted municipal government, but it did not, because the Assembly could not change the status of titles to real estate. The cure for the crippled condition of the latter was provided by Congress in May, 1864. Like remedies for similarly impaired titles elsewhere in the Territory came from the same authority in subsequent years.

Governor Gilpin had appointed Denver City as the meeting-place of the First Assembly, as he was authorized to do by the organic act. But that law had clothed the legislators and the Governor with power thereafter to establish the capital of the Territory wherever within its limits that they might deem best for the public welfare. By an act approved on November 5th, the First Assembly designated Colorado City as the capital; and by the law providing for the increase of the Assembly's membership to the full number permitted by the organic act, also provided, as I have said, that the Second Assembly should meet on the first Monday in June, 1862. But before the intervening months had passed, it was discovered that a blunder had been made in appointing the first Monday in June as the day on which the Second Assembly should meet, as it fell within the Federal fiscal year ending June 30, 1862, the appropriations for which, as we have seen in a preceding chapter, included certain sums for certain purposes to aid in support of the Colorado Government. The Federal appropriation for the Territory's legislative division of its government, the sum of which was but \$20,000, was not only insufficient to the expense of two Assemblies, but Congress did not intend that there should be two within one fiscal year.

Therefore the meeting of the Second Assembly was postponed until July 7th, by which time the Federal appropriations in behalf of the Territory for the new fiscal year would be available. The additional members, who had been elected in the preceding December, were Councilmen N. J. Bond, H. R. Hunt, William A. H. Loveland, and J. B. Woodson, together with Henry Altman, successor to S. M. Robbins, resigned; and Representatives

M. S. Beach, John Fosher, José Francisco Gallejos, J. W. Hamilton, C. G. Hanscome, M. B. Hayes, R. R. Harbour, Joseph Kenyon, José Raphael Martinez, D. C. Oakes, D. Powell, William M. Slaughter, and Wilbur F. Stone. The enlarged Assembly met at Colorado City on July 7th; but, as we shall see presently, did not long remain there. The meeting practically was an adjourned session of the First Assembly, and was generally so considered by the members of the latter, and which it evidently was intended to be by the act that had provided for the increase of membership. But as it was held in Colorado's second fiscal year with respect to Federal appropriations, and also for other reasons, it ranks historically as that of the Second Assembly. The constructive work of this Assembly, as well as that of Colorado's later law-making bodies, is reviewed in another chapter of this volume, and which deals generally with the subject of legislation by our Territorial Assemblies and State Legislatures.

During the first seven years of the Territorial period, Colorado's Assemblies were migratory in their habits, and the Territory's capital was a shifting proposition. As the reader has seen in the full text of the Territory's organic act, which is appended to Chapter XV., it directed that the first session of the Assembly should be held at such time and place as the Governor should appoint; and further provided that "at said first session, or as soon thereafter as they shall deem expedient, the governor and legislative assembly shall proceed to locate and establish the seat of government for said Territory at such place as they may deem eligible; which place, however, shall thereafter be subject to be changed by the said governor and legislative assembly". There were three ravenous municipal aspirants for the honor and advantage of becoming the permanent seat of the Territorial Government—Denver City, Golden City, and Colorado City; and after each of these had been more or less duly tried, Denver finally kept the prize.

As mentioned in a former chapter, the Territory's First Assembly met in Denver City on September 9, 1861, pursuant to a proclamation by Governor Gilpin; and, as we have seen, continued its sessions there until its adjournment on November 7th, but had made Colorado City the capital two days before quitting its deliberations. As it was generally expected that the Territory would become a State within a few years, unless the Civil War should upset everything, the choice of Colorado City ostensibly was for the reason that that town was very near the center of the Territory and therefore would be more convenient in the meantime for the great body of the people, and doubtless would prove to be the better place for the seat of government under Statehood. But the more potent reason for preferring Colorado City sprang from the jealousy of Denver City's growth and vaulting pretensions among the "country members", a term which, in Denver parlance, applied to all who did not reside in that strenuous community. Many of the country members alleged that the citizens of the metropolis at the mouth of Cherry Creek were "trying to monopolize everything", and because of this grasping disposition were in favor of "taking them down a peg or two", while most of the members from the southern parts of the Territory were averse to Denver City "on general principles".

However, Colorado City proved disappointing. Its facilities for entertaining such a company of sojourners as the lawmakers constituted fell far short of the requirements, and the town afforded no building adequate to the needs of the Assembly. A log-cabin of moderate size had been provided



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for the purposes of a capitol, and of which some use was made by committees. But the meetings of the two houses, during the Assembly's brief stay at Colorado City, were held in the town's hotel, which was of a very primitive type. On the fifth day of the session, July 11th, in a joint resolution, which was approved on the 15th, they resolved

"That when this Legislative Assembly adjourns this afternoon, it stand adjourned to meet at Denver City, on Wednesday, the 16th day of July, 1862, at 10 o'clock a. m.

But the change was not accomplished without the use of a little strategy, as Judge Wilbur F. Stone, who was a member of the House, has related in the following:

"The southern men were opposed to adjourning to Denver, and they went away and hid in the woods, and the Sergeant-at-Arms couldn't find them. Finally we sent men out with flags of truce to bring them in, and getting them together in Mother Maggart's hotel, under pretense of compromising the matter, locked the doors on them, finished the vote, and got the adjournment to Denver."

The Assembly met at Denver on the 16th, in accordance with the resolution, but the adjournment thither did not result in fixing the seat of government at that city, as a majority of the members still were determined to defeat the ambition of that metropolis to become the permanent capital of the Territory. So, by an act that was approved on August 4th, the governmental headquarters were located at Golden City, which, late in 1860 had had a population of one thousand, and was the most aggressive rival with which the Cherry Creek municipality had to deal. But the Assembly remained at Denver until it adjourned *sine die*, on August 15th.

An act of the First Assembly had designated the first Tuesday in September as the day on which future general elections—for members of the Assembly, Delegate in Congress, and county officers—should be held. But as the Federal appropriation for the Territory's legislative division of government for the fiscal year ending June 30, 1863, would be exhausted by the expenses of the Second Assembly, that body, by a joint resolution, provided that no election be held for members of the Assembly until the first Tuesday in September, 1863. In consequence of this arrangement, there was a legislative hiatus of seventeen months between the adjournment of that Assembly and the advent of its successor.

The Third Assembly convened at Golden City on the first Monday in February (as had been provided by the First), 1864, and which was the first day of that month. For reasons similar to those that had caused the Second to leave Colorado City, this body of lawmakers, on February 4th, adjourned to Denver for the remainder of the session, but without having formally transferred the capital to the Cherry Creek city. Among the acts of this Assembly was one which changed the beginning of legislative sessions from the first Monday in February to that of January. The Fourth Assembly met at Golden City on January 2, 1865, and there held forth until the close of its career. The members of the Fifth gathered at Golden on January 1, 1866, but on the next day adopted a motion to remove to Denver, where all its other business was transacted. But, as in the case of the Third, the desertion of Golden by the Fifth did not include a formal transfer of the capitol to Denver. The Fifth having changed the meeting-day from the first Monday in January to that of December, the Sixth Assembly, which was

loyal to Golden and made no migration, began its session there on December 3, 1866. The Seventh convened at Golden City on December 2, 1867; but, pursuant to an act approved on December 9th, fixing the seat of government at Denver City, and which was of immediate effect, this Assembly adjourned on that date to reconvene at Denver, where it remained until it reached the limit of its existence.

Since that time Denver has been the capital of Colorado without intermission. The Eighth Territorial Assembly met there on January 3, 1870—the meeting-day having again been changed; the Ninth, on January 1, 1872; the Tenth, on January 5, 1874; the Eleventh, last of the Territorial series, convened there on January 3, 1876. Although the capital had been a shifting entity until December, 1867, much the greater part of the executive business in the meantime was transacted in Denver.

During the entire Territorial period, Colorado had no capitol. The Legislative Assemblies, as well as the judicial and executive officers, occupied rented quarters, here and there, and usually the two branches of the lawmaking body were not housed under the same roof. Like conditions attended the State administrations until the majestic structure that now stands upon Denver's Capitol Hill became ready for use, about fifteen years ago.

In the fifteen years during which Colorado was under the Territorial form of government it had eight executive administrations, two of which were under Governor Edward M. McCook, with an interval of fifteen months between them, but which together covered only three and one-half years. In the frequent changes of the executive, the unsatisfactory character of that system of government and the state of political affairs in the Territory are reflected. William Gilpin, the first Governor, appointed in March, 1861, and who, as I have already related, assumed the discharge of his duties at the beginning of the following summer, was, for reasons that are stated in the next chapter, but which were not directly connected with political matters, removed by President Lincoln in the spring of 1862. Gilpin was succeeded, on April 19th, of that year, by Dr. John Evans, of Illinois, whose home had been in Evanston, now a suburb of the city of Chicago, and for whom the suburban town had been named. Evans served until October 17, 1865, when his resignation, which he had tendered in anticipation of occupying a higher political position—a seat in the United States Senate—became effective. To take the place of Governor Evans, President Johnson had sent Alexander Cummings, of Pennsylvania, whose earlier distinction was that of having founded, in June, 1860, the newspaper known as the *New York World*, which later was made by other hands a notorious publication. Having sent his resignation to Washington late in April, 1867, much to the gratification of the overwhelming majority of the Territory's citizens, Cummings was succeeded on May 27th by A. C. Hunt, a pioneer of Colorado, and who also was, as we have seen above, the first Governor of the Territory who had resided in it before his appointment. Hunt was summarily removed by President Grant to provide a place for General Edward M. McCook, of Washington City, a former army comrade of the President, and who took the office on June 15th, 1869. McCook remained Governor until April 17, 1873, when his removal by the President took effect. His successor was Samuel H. Elbert, who had come to Colorado from eastern Nebraska in 1862, in consequence of his appointment by President Lincoln to the Secre-

taryship of the Territory. Elbert filled the position most capably for a little more than one year, when he, having in turn been removed by President Grant, yielded the office, on July 24, 1874, to McCook, whom the President had appointed to another term of mismanagement of Colorado's affairs. But the pressure of public opinion caused President Grant to terminate McCook's second tenure of office in Colorado within a year. John L. Routt, of Illinois, was appointed to succeed him, and who took the helm on March 31st, 1875. Governor Routt served as chief executive of the Territory until Colorado's admission into the Union, in 1876, and was chosen to be the first Governor of the State.

Under our Territorial plan of government the Secretary of a Territory is a more important executive officer than the Secretary of State in a State government, inasmuch as he has charge of the public accounts, and also becomes Acting Governor should the Governor be incapacitated from discharging his duties or have occasion temporarily to be absent from the Territory. During the fifteen years of Territorial apprenticeship, Colorado had a greater number of Governors than of Secretaries, that of the latter being limited to five; but the terms of one, General Frank Hall, covered more than half the period. The term of the first Secretary, Lewis L. Weld, who was appointed late in March, 1861, ended on April 19, 1862, coincident with the removal of Governor Gilpin; but the time of his actual service was less than that of ten months. Weld, who was naturally a competent and rather a brilliant man, but of somewhat unsteady habits, was followed by Samuel H. Elbert, who held the office until May 2, 1866, relinquishing it by resignation. As the reader has seen, he became Governor of the Territory in a later year. Elbert was succeeded by Frank Hall, who served, by reappointments, seven years and ten months, retiring on February 12, 1874, with a record of exceptional excellence. The next Secretary was John W. Jenkins, who retained the position until August 16, 1875. During the interval between Governor McCook's confirmation for his second tenure by the United States Senate and his arrival at Denver, Secretary Jenkins refused to recognize Governor Elbert as the chief executive and assumed to be the Acting Governor. So, for a short time, the Territory nominally had two Governors, each having an office in the business section of Denver. But most of the people declined to accept the Secretary's jurisdiction, and Governor Elbert held on, as it was his duty to do, until the coming of McCook. The successor of Jenkins was John Taffe, who remained Secretary until the transition from Territory to State was completed, in November, 1876.

In most of the instances in which the Secretary of the Territory acted as Governor the duties that he had to perform were of a routine nature; but during the terms of Elbert and Hall, each of these officers served ably as Acting Governor at times in which prompt decision and superior executive ability were required.

Our Territories are represented in the United States Congress—in the lower branch, only—by Delegates, who are but little more than the Washington agents of their constituents. They receive the same pay and allowances as Representatives from States, may introduce bills and take part in debates, but have no vote on legislation. Five men so represented Colorado successively during the Territorial period, as here stated:

Thirty-seventh Congress (March 4, 1861—March 4, 1863), Hiram P.

Bennet, elected August 16, 1861, and who took his seat on December 2d, of that year.

Thirty-eighth Congress (March 4, 1863—March 4, 1865), Hiram P. Bennet (reelected).

Thirty-ninth Congress (March 4, 1865—March 4, 1867), Allen A. Bradford.

Fortieth Congress (March 4, 1867—March 4, 1869), George M. Chilcott.

Forty-first Congress (March 4, 1869—March 4, 1871), Allen A. Bradford (second term).

Forty-second Congress (March 4, 1871—March 4, 1873), Jerome B. Chaffee.

Forty-third Congress (March 4, 1873—March 4, 1875), Jerome B. Chaffee (reelected).

Forty-fourth Congress (March 4, 1875—March 4, 1877), Thomas M. Patterson, who served as Delegate in the first session of that Congress, and was succeeded in the second session by James B. Belford, as Representative from the State of Colorado.

The administrations of Colorado's several Territorial Governors varied in character from a high standard of excellence downward to a gradation that was near the limits of the people's endurance. The emoluments of the office were not very attractive to men who should have no purpose in view other than that of pecuniary gain; but the position was one of honor and distinction, and, as the incumbent was clothed with rather broad powers, it afforded many opportunities for promoting the interests and general welfare of the people. As the reader may recall, the yearly salary of the Governor, as fixed by the organic act, was \$1,500; but as he was by virtue of his office also the Indian Agent for the Territory, he received \$1,000 additional for his services in that capacity.

Governor Gilpin was a brilliant, intensely patriotic, but somewhat visionary and erratic man, of most engaging manners, but with tastes, inclinations, and a life-training that tended to unfit him for dealing readily with certain of the political and other conditions he encountered in Colorado. His executive ability was that of the military commander rather than that which a highly successful civil administrator must possess. It was in his military character that he rendered his most effective services; and it would be difficult to overestimate the importance of these services. His management of public affairs was not tainted by any form of corruption, but was clean and vigorous. Yet, with something like the "irony of fate," the financial ways and means he adopted as emergency substitutes for actual sinews of war caused his official undoing. His administration, even on its civil side, was pervaded by a military atmosphere, not offensive in its effects, but in which were present the *primness*, precision, formality and stateliness generally characteristic of the methods of the accomplished military officer in that period. Governor Gilpin was born in southeastern Pennsylvania in 1813. After having attended a private school in England, he entered the University of Pennsylvania, and after his graduation there received an appointment to the United States Military Academy at West Point, where he was graduated in 1836. Assigned to the Second Regiment of United States Dragoons, as a Lieutenant, he served in the Seminole War. At the close of that conflict he resigned from the army and located at St. Louis, but in 1841 removed to

Independence, Missouri, on the frontier. He served in the winter of 1841-42 as Secretary of the lower branch of the Missouri Legislature. His studies at West Point having included a law course, he prepared to engage in law practice at Independence, but in 1843 went to the Oregon country with Frémont, as I have already told, and there participated in an attempt to organize a Territory in that region, and also took part in the founding of the city of Portland. Returning to Independence in 1844, he lived there until the outbreak of the Mexican War, in which he served gallantly as a Major of the famous First Missouri Cavalry—"Doniphan's Regiment". Some account of his services as commander of a force of Missouri volunteers which suppressed Indian depredations along the course of the Santa Fe Trail late in 1847 and in the fore part of 1848, has been given in a preceding chapter. After his return from that campaign he resided in Independence until he was appointed Governor of Colorado Territory. Governor Gilpin joined his fortunes to those of Colorado, and remained an honored and beloved citizen of Denver until his death.

Governor Evans was of a different type of man, and his place in the history of Colorado is that of the ablest, the best fitted in all respects, of our Territorial Governors. His abilities were those of the great captain in civil life: of the projector, organizer and executor of large undertakings for the development and utilization of natural resources. He also possessed a share of the talents that distinguish statesmanship from the views and objects of the mere politician. He came with the predetermined purpose of permanently identifying his future with the Territory and its people; and, it may be said with truth, that the efforts of no other citizen of Colorado produced results exceeding in importance those which he accomplished in later years as a builder of railways. His administration was highly efficient, its integrity never was questioned, and it gave general satisfaction among the people. Yet it was influenced, and even swayed at times, by his laudable ambition, which he appears to have brought with him, to have Colorado admitted into the Union immediately, and also to represent the new State in the United States Senate. He had been an active "charter member" of the Republican Party, was a personal friend of Abraham Lincoln, and an ardent supporter of the War for the Union. Governor Evans was a native (1814) of Ohio. After his graduation at Philadelphia as a Doctor of Medicine, in 1838, he located in northern Illinois as a country physician among the settlers on the Illinois River, but removed to Indiana a few months later, where he was chiefly instrumental in procuring the enactment of a law by the Legislature of that State providing for the erection and maintenance of a State Asylum for insane persons, and of which he became the first Superintendent. In 1845, he was called to a chair in the Rush Medical College in Chicago, and which he occupied for eleven years. He participated largely in the public affairs of Chicago; served in the City Council, in which he devoted his attention to the improvement of the public schools; was a candidate for Congress, but was defeated by the "Know-Nothing" organization; was one of the founders of the Northwestern University, at Evanston, and to which he gave large endowments; and one of the working Directors of the Pittsburgh, Fort Wayne & Chicago Railroad Company during the years in which that road was constructed from Fort Wayne to Chicago. A full account of his various activities ere his appointment to be Governor of Colorado Territory would require the space of several of these

pages, and thus carry me beyond my limitations. The Governor had acquired an ample fortune before his coming to Colorado, in which the last thirty-five years of his life were passed in eminent usefulness.

While the duties of the chief executive of the Territory were not easily to be discharged to the entire satisfaction of every citizen, Governor Cummings succeeded only in making both himself and his administration extremely obnoxious to the great body of the Colorado people. It has been well said, by General Frank Hall, that "of all the executives ever imposed upon this or any other Territory, Cummings was perhaps the most unpopular, because wholly unfitted by the peculiar bent of his disposition to govern a free and radically independent people"; and also that he left "no good deeds behind him worthy of even a paragraph in the annals of that period". At the time of his appointment, Cummings was a resident of the city of Philadelphia, and was, as he long had been, a political satellite of Simon Cameron, to whose preferment and influence he was chiefly indebted for his nomination and confirmation as the successor of Governor Evans. He came to the Territory with a besmirched reputation. In the first year of the Civil War, he was appointed to purchase certain supplies for the Union Army, and in doing so expended about \$160,000. But instead of the necessities he was instructed to obtain, a large part of his purchases were found, when they were delivered to the troops in the field, to consist of old and trashy merchandise, which was not only next to being worthless as such, but in no manner conformed to the requirements and was utterly useless to the soldiers. These transactions became a public scandal, and were investigated by a Congressional Committee. While the influences which had obtained this appointment for him prevented his prosecution for the offenses, the committee's report ended his career as a purchasing agent for the Federal Government. Upon his arrival in Colorado he assumed the airs and manners of a dictator, and his general demeanor toward the people was an aping of that of an autocrat in dealing with his subjects. Although arbitrary and dictatorial, he was a scholarly man and endowed with much ability; but instead of the kind his new position required, his qualifications were those of the crafty and scheming order. The welfare of the Territory and its people was, in his estimation, a negligible political quantity, and his administration was characterized by all that was implied by the term "violent Territorial politics". His position enabled him to secure the following of a small faction, but among the people generally he soon provoked a sentiment of mingled detestation and contempt that endured in robust form as long as he remained in the Territory, and which lingered for years after his departure. At the time he came, the Statehood movement of 1865 had passed the convention stages, and party candidates for the offices of the anticipated State form of government had been nominated. Cummings at once began conspiring to defeat the movement. His alleged cardinal reason for opposing it was an affected hostility to the constitution that had been framed for the proposed State because it denied suffrage to negroes. But this was merely a pretext. As the programme contemplated Colorado's admission into the Union early in the impending session of Congress, that event would cut short his tenure of office as Territorial Governor. There were some sound reasons for deferring Colorado's admission, but Cummings cared nothing for them; and although the movement met defeat, this was not the result of his influence. After eighteen months of stormy experience, during which

time several petitions for his removal had gone to the President. Cummings, much to the satisfaction of the people, resigned his office, terminated his presence in Colorado and went back to Philadelphia. His political friends in that State presently obtained for him the position of Collector of Internal Revenue for the Fourth District of Pennsylvania.

While Governor Hunt had participated with Cummings in opposing the Statehood movement of 1865, he retained the respect and confidence of the great majority of his fellow-citizens. His direction of the Territory's affairs, so far as they were under his personal control, was honest and effective, and generally satisfactory to the people. But doubtless his administration would have been still more efficient had all his associates and advisors been as well-meaning as he. As this was not so, he was hampered more or less by the evils of Territorial politics. Much of his time and attention was given to Indian affairs, especially to those of the Ute Indians, with whom he was engaged in promoting friendly relations with the white men at the time of his sudden and undeserved removal by President Grant. Hunt's abilities were those of the man of business rather than of the politician. He was a native (1829) of New York State, and came to Colorado in June, 1859, locating in Auraria City, where he was at once recognized as a man of force. Late in that year he was elected Vice President of the Auraria Town Company; and in June, 1862, became United States Marshal for the Territory, succeeding Copeland Townsend, who had been removed. Hunt also had served as Territorial Treasurer, in the year before his appointment to the Governorship. After his retirement from that office he engaged in the construction of railways in the Territory, and in later years in Mexico, when he severed his identification with Colorado and established his residence in Laredo, Texas.

Although the personality of Governor McCook was far unlike that of Cummings, his administration was almost as complete a failure as that of the Philadelphian. McCook, educated for the legal profession, had been a Colorado pioneer in 1859, and here had engaged in such practice of law as then was in vogue in the Pike's Peak country. At the election held in the alleged Arapahoe County, of Kansas Territory, on November 6, 1860, and at which only a small number of votes were cast, he was elected Representative of that uncertain political division in the Kansas Legislative Assembly. Notwithstanding that that county had been abolished by Kansas law about a year before, McCook was recognized and admitted as its Representative, and served as a member of the Assembly in the winter of 1860-61. Upon the outbreak of the Civil War, he received a commission as Second Lieutenant in the Regular Army; and by gallant and other meritorious services, some of which were rendered under General Grant, attained the rank of Brevet Major-General before the conflict was ended. Shortly after the close of the war, he was appointed American Minister to the Hawaiian Islands, with residence at Honolulu. Resigning that position in the autumn of 1868, he located in Washington City, there to await the upturning of something else in the way of office-holding. In the spring of the next year, he applied to his old commander-in-chief, who was now President, for a billet. President Grant, who was always willing and ready, whenever it was possible, to provide for a comrade-in-arms, promptly acted upon the proposition that the holding chief executive of Colorado be turned out off-hand and that General McCook be put in his place. The General's brilliant record as a soldier had

proved that he possessed ability, but as Governor of Colorado he made no good use of that endowment for the welfare of the Territory. During the first eighteen months of his administration, it drifted along loosely and inefficiently, marked by nothing of importance to its credit nor by anything that was rankly discreditable. But soon thereafter, ugly rumors that shameful frauds were being perpetrated upon the Federal Government and the Ute Indians, under the Governor's superintendency of Indian affairs in the Territory, reached the ears of the people. These rumors presently took more definite form, and responsibility for the peculations was laid at the Governor's door. An investigation followed, but it was conducted in such a manner as to give rise to a general belief in Colorado that influences from high quarters at Washington had interfered to prevent disclosures that would directly implicate the Governor. Unconvinced of the latter's innocence, the people of Colorado, of whom but few had had at any time a good opinion of McCook's administration, demanded his removal with such vigor and persistence that at length the President was compelled to yield to these expressions of public sentiment and appoint a new Governor for the Territory. McCook returned to Washington City and resumed his residence there. It was said in Denver that before his departure he declared he would come again and reoccupy the office from which he had been displaced.

Governor Elbert, who had, since his coming to Colorado as Secretary of the Territory, married a daughter of Governor Evans, entered upon his duties, on April 17, 1873, with a determination to give the people a worthy administration devoted to their interests. Notwithstanding that he was beset almost immediately by some political harpies in the Territory and by others in Washington, and although his management of affairs was embarrassed and in the next year terminated by their machinations, he succeeded in doing so throughout the fourteen months of his incumbency. He was among those who early foresaw the results that would accrue in the arid parts of the West from the construction of great systems of reservoirs and canals for the purposes of irrigation, and had resolved to attempt organized coöperation in the western States and Territories to obtain legislation from Congress in aid of his grand proposition, which was a forerunner of the present Federal Reclamation Service. In the summer of 1873, he proposed and called a convention of delegates from States and Territories containing arid lands to meet at Denver on October 15th, of that year, to consider and act upon his project. The convention, which met at the appointed time, heartily indorsed the Governor's conception, and adjourned with the understanding that another convention should be held in the next year. Elbert had these plans well advanced at the time he was arbitrarily removed from office. Governor Elbert was born (1833) in Ohio, but had removed with his parents to Iowa in 1840. After his admission to the bar, in 1856, he located at Plattsmouth, Nebraska, where he became somewhat prominent in the political affairs of that Territory, and where he was residing when appointed Secretary of Colorado Territory, in which he lived all the rest of his days. He was one of the three Justices elected to constitute our State's first Supreme Court, his term being for six years, during the last half of which he was the Chief Justice. In 1885, he was reelected a Justice of that court, but resigned in 1888 to give required attention to his private affairs.

Soon after his return to Washington, General McCook won the favor of several men who stood close to President Grant, among whom was General O. E. Babcock, the President's Private Secretary, who is now remembered

mainly because of his entanglements in the enormous frauds worked upon the Federal Government by the notorious "St. Louis Whiskey Ring". Through these influences, President Grant was persuaded to send McCook back to Colorado to govern the Territory; and on January 27, 1874, laid the unheralded nomination before the Senate. This was opposed by many Senators, and proofs of frauds and peculations during McCook's first term, and of which it was said that the Governor must have had knowledge, were produced while the nomination was "hung up" in the Senate. But party and other pressure finally prevailed, after nearly six months of suspense, and McCook was confirmed on June 19th, by a majority of one vote. That such a man as Elbert should be displaced to make way for another term of McCook, was one of the various unsavory proceedings that took place during the administrations of President Grant. However, the Colorado opposition to McCook did not cease with his confirmation and his resumption of authority in the Territory. His reappointment became a party issue, and at the autumn elections the Republicans split their vote and thus enabled the Democrats to carry Colorado, for the first time. This rebuke had at Washington the effect intended. The President cast about for a successor to McCook, whose "resignation" he accepted, and in March nominated John L. Routt, of Illinois, a choice which the Senate confirmed promptly.

Governor Routt had the advantages that arose from the circumstance that his service as Territorial Governor was rendered in the period, when, by almost unanimous consent, renewed preparations for attaining Statehood for Colorado were put under way, and in which the successful consummation was reached. He was a strong man, who served well, and fully merited the honor and distinction which the Colorado people conferred upon him by electing him to be the first Governor of the State. Routt was a Kentuckian by birth (1826), but had removed to Illinois at his maturity. He served as a Captain of Illinois Volunteers in the Civil War, and shortly after the war as United States Marshal for the Southern District of that State. In 1871, he became Second Assistant Postmaster-General, which position he was holding when appointed Governor of Colorado Territory. In agreement with the intentions he had in mind when he came, Routt identified himself with our people, became a citizen in the full meaning of that word, and so remained until his death. He was one of those who acquired large fortunes from the mines of Leadville.

CHAPTER XVIII.

COLORADO IN THE CIVIL WAR.—POLITICAL AND MILITARY CONDITIONS IN THE TERRITORY IN 1861.—GOVERNOR GILPIN'S PREPARATIONS FOR ENLISTING VOLUNTEERS.—ATTEMPT OF CONFEDERATE PARTISANS TO FORM A MILITARY FORCE.—ORGANIZATION OF THE FIRST REGIMENT OF COLORADO VOLUNTEER INFANTRY.—TWO ADDITIONAL COMPANIES FORMED.—LOYALTY OF THE LEGISLATIVE ASSEMBLY.—THE GOVERNOR'S FINANCIAL EXPEDIENT.—DENVER HOME GUARDS.—CONFEDERATE INVASION OF NEW MEXICO.—GREAT POLITICAL PURPOSES OF THE CAMPAIGN.—POLITICAL SENTIMENT IN NEW MEXICO.—COLORADO VOLUNTEERS SENT INTO THAT TERRITORY.—ADVANCE OF GENERAL SIBLEY'S CONFEDERATE ARMY UP THE RIO GRANDE VALLEY.—HIS VICTORY AT VALVERDE AND TRIUMPHANT MOVEMENT TO SANTA FE.—MARCH OF COLORADO'S FIRST REGIMENT TO THE RESCUE.—BATTLE OF LA GLORIETA PASS.—CRUSHING DEFEAT OF THE CONFEDERATES.—GREAT SERVICE OF THE COLORADO VOLUNTEERS IN A GREAT EMERGENCY.—THEIR HEAVY LOSSES IN THE CAMPAIGN.—GOVERNOR GILPIN'S "DRAFTS" AND HIS REMOVAL FROM OFFICE.—CONVERSION OF THE FIRST COLORADO INFANTRY INTO THE FIRST REGIMENT OF COLORADO VOLUNTEER CAVALRY.—ITS SUBSEQUENT SERVICES.—ORGANIZATION OF THE SECOND AND THIRD REGIMENTS OF COLORADO VOLUNTEERS AND M'LAIN'S BATTERY.—THEIR SERVICES IN KANSAS, MISSOURI AND THE INDIAN TERRITORY.—CONSOLIDATION OF THE SECOND AND THIRD REGIMENTS AND THEIR REORGANIZATION AS THE SECOND REGIMENT OF COLORADO VOLUNTEER CAVALRY.—GALLANTRY OF COLORADO TROOPS IN THE DEFEAT OF GENERAL PRICE'S INVASION OF MISSOURI.—LATER SERVICES OF THE SECOND COLORADO CAVALRY AND M'LAIN'S BATTERY.—RAID OF A TEXAN BAND OF GUERRILLAS INTO COLORADO.—RATIO OF COLORADO VOLUNTEERS IN THE WAR FOR THE UNION.—THEIR EXCELLENCE AS SOLDIERS.

In the summer of 1861, when Governor William Gilpin was preparing to put into operation the political machinery of the new Territory of Colorado, nearly one-third of the Territory's people were, as indicated by circumstances that have been cited in the preceding chapter, in sympathy with the Cause of Secession; and the number of these had been even greater in the spring of that year. As the reader of this volume has seen, the first company of Colorado's Argonauts, and which also was the first to give effective support to the old tales that told of the existence of gold in the Pike's Peak country, was organized and led hither in 1858 by former residents of the State of Georgia. In the multitudes that swarmed to the Rocky Mountains in Colorado in 1859 and '60 there were many men from slaveholding States; and among our pioneers of the primitive years there were no better citizens, considered as a body, than those who had come from such States. They did their full part in establishing and maintaining forms of local government that were required by the extraordinary exigencies of those years, and under which order was preserved, the common welfare promoted, and the personal rights of the members of the pioneer communities were defined and protected.

At the time of Governor Gilpin's arrival in the Territory the people of Colorado had no military organization. Two small companies of militia—the "Jefferson Rangers" and the "Denver Guards"—had been

formed in Denver City in 1860, in accordance with an enactment by the Legislative Assembly of Jefferson Territory, but had been disbanded at the end of the following winter. The only Federal soldiers stationed within the bounds of Colorado in the summer of 1861 were those who formed the slender garrisons of Fort Garland, in the San Luis Valley, and Fort Wise, on the Arkansas River, in a locality near the eastern line of our present Bent County. As I have stated in an earlier chapter, Fort Wise had been the last "Fort Bent", of the fur-trading period, and which, after its purchase by the Federal Government in 1859, was renamed in honor of Henry A. Wise, the Governor of Virginia at that time. In the autumn of 1861, the post's name was changed to "Fort Lyon", in memory of the Union General Nathaniel Lyon, who had been killed in the Battle of Wilson's Creek, Missouri, on August 10th, of that year.

Governor Gilpin was not only profoundly loyal to the Union cause, but a man of ready decision and prompt action in its behalf. He believed that "a strong and malignant secession element", as he characterized the more zealous and outspoken of the southern men in Colorado, had been "ably and secretly organized from November", of the previous year, and reported that "extreme and extraordinary measures" were necessary "to meet and control its onslaught". However, it is doubtful whether such an organization existed before April, 1861, or even before the summer of that year. The first flaunting demonstration of fealty to the Southern Confederacy had been made in Denver on April 24th, a few days after tidings of the Confederate assault upon Fort Sumter had reached the Territory. On that day, a Confederate flag was raised above the general store of Wallingford & Murphy, on Larimer Street, near what is now Sixteenth Street. Its appearance was followed quickly by the gathering of a throng of excited men in front of the building, most of whom declared that the emblem of Disunion should not float in Denver, while the minority insisted that it was there to stay; and serious trouble seemed imminent. But in the midst of the clamor, Samuel M. Logan, who became later a gallant Captain in the First Regiment of Colorado Volunteers, went to the roof of the store and pulled down the flag; none of those who had hailed it with approval daring to attempt to prevent his action. After this episode, which also brought forth other manifestations of loyalty to the Union on the part of the majority of Denver's citizens, the disunion element was more circumspect, and refrained from ostentatious expression of its political sentiments either by word or symbol, although some small Confederate flags subsequently were privately exhibited in the city.

One of Governor Gilpin's early official acts was to provide himself with a military staff, which consisted of Richard E. Whitsitt, Adjutant-General; Samuel Moer, Quartermaster-General; John S. Fillmore, Paymaster; and Morton C. Fisher, Purchasing Agent.

Whatever armament the erstwhile Jefferson Rangers and the Denver Guards may have possessed doubtless was the property of their members, as the Governor found no military equipment in Denver that was of public ownership. Shortly after he had formed his military staff, he authorized and directed Purchasing Agent Fisher to go forth among the people and procure all the rifles, shotguns and ammunition that he could buy. As nearly every man in the Territory had one or more of such weapons, a motley assortment of a few hundred guns soon was collected; and for

which high prices were paid, or, rather, promised to be paid. While making these purchases, Fisher came into competition with the Colorado Confederates, who were openly in the market for the same purpose, and who now were suspected of an intention to organize a mounted force, make a sudden descent upon Denver and plunder the banks and business houses of that city, and then scurry off to join the nearest Confederate army. They posted handbills in the towns and mining-camps, bearing a notice that good prices would be paid for serviceable rifles and ammunition for them, naming several places where these would be received and payment therefore made in cash. The leader in this movement was a Texan, named McKee. He and about forty others believed to be identified with it were arrested by order of Governor Gilpin and imprisoned. This action and the Governor's energetic preparations for organizing a regiment of volunteers caused the friends of the Southern Confederacy immediately to withdraw from the gun-market.

However, some of the southern men established a rendezvous on Cherry Creek, near its head, where a body of them, that was said to have numbered upward of one hundred, was gathered early in the autumn. A detachment of the First Regiment of Colorado Volunteers, which had been organized in the meantime, was sent to round up these insurgents and take them to Denver. But most of them escaped capture and moved to a place on the Arkansas River, below Fort Wise, where they appropriated a small train of army-wagons laden with supplies—a windfall that was of but little advantage to them. They were overtaken a day or two later, and one-half of them made prisoners, the rest scattering as best they could. The captured men were taken to Denver and there confined with the others. But after several weeks, the prisoners, who had to be guarded and fed, became a burden to their captors; and as no one knew what else to do with them, they were released and permitted to go their way.

Thus ended the only actual attempt of partisans of the Southern Confederacy to form a military force in Colorado. As in the case of those who had left the Territory earlier in 1861, other southern men, who departed for their former homes in the autumn of that year, having the courage of their convictions and determined to take up arms in behalf of the South, went forth quietly as individuals and not as a militant organization. Near the end of October, Governor Gilpin reported that "the core of the Rebellion" in Colorado "has at present withdrawn, to gather strength", which he thought would be done in the Indian Territory and northeastern Texas, with the view of returning and "overwhelming the loyal citizens" of his Territory. But Colorado's rebellious pioneers were distributed far and wide in the Southern armies, and the great majority of them never again beheld Pike's Peak.

The Governor and some of the private citizens of Colorado had, in July, of that memorable year, proposed to the authorities at Washington immediately to organize in the Territory several companies of infantry, or of cavalry, for the Union service, and which should consist of "men inured to toil and hardship". But there was no response to this proffer; perhaps because the number of men in the northern States that were eager to enlist and were nearer at hand already largely exceeded the current resources of the Federal Government for arming and otherwise equipping them for the field.

The distinction of having made the first actual enlistment in Colorado of volunteers for service in the Union Army has been accorded to Samuel H. Cook, who, about the middle of July, began recruiting, at Idaho and in the districts above that town, a company which he intended to take into eastern Kansas, there to be mustered in as a part of a Kansas regiment of cavalry. But toward the end of that month, when Cook's enrollments were near the required number, Governor Gilpin persuaded him and his men to remain in Colorado and become one of the companies of the Territory's First Regiment of Volunteer Infantry.

The Governor had in the meantime determined to organize such a regiment, of full strength, without waiting for a formal call from Washington for troops, or for any other specific authority from that quarter for so doing. He had power, as Governor of the Territory, properly to provide for military protection and defense of the people in an emergency.

John P. Slough, a prominent lawyer in Denver, now had been commissioned from Washington to enlist two companies of infantry for the United States Army. Upon their organization, these were to be sent to Fort Garland to garrison that post and thus relieve the Regulars stationed there, in order that the latter might be moved to the States and employed in more active duty. But in this matter of detail a change was made in the next month, and Slough was placed in a military position of much greater importance.

In the last half of July and early in August, Governor Gilpin commissioned a number of company-officers and authorized enlistments for the nine companies which with Cook's volunteers were to form Colorado's First Regiment. Late in August, he appointed James H. Ford to be a Captain of volunteers, and Theodore H. Dodd to be a First Lieutenant: giving authority to each to recruit an additional company. These two organizations, when mustered in, were to serve the purposes intended for the two companies which Slough had been commissioned to enlist, but later to become the nucleus of the Second Regiment of Colorado Volunteer Infantry, the formation of which the energetic and enthusiastic Chief Executive of the Territory already had in mind.

Recruiting offices were opened in all the larger towns and also in several of the mining-districts proper. Enlistments followed at such a rate that by the end of September the quotas of the First Regiment's companies practically were filled. Meanwhile the principal regimental officers, and most of the company officers other than those previously appointed, had been designated, the greater number of the commissions bearing the date of August 25th. John P. Slough, who had recruited Company A, was made Colonel of the Regiment. He was a native of Cincinnati, where he had lived before coming to Denver, in 1860; had been a member of the Ohio Legislature, and Secretary of the Ohio Democratic State Central Committee; and was an earnest War Democrat. It has been said that while he did not prove to be a popular military leader he was a capable man. Samuel F. Tappan, who had recruited Company B, in the mining-districts that now form Gilpin County, was appointed Lieutenant-Colonel. John M. Chivington, who had come to Denver in May, 1860, as Presiding Elder of the Methodist Episcopal Church in the Rocky Mountain District, and who later became the most conspicuous military figure in Colorado, was commissioned Major of the regiment. The chaplaincy was first ten-

dered him, but he insisted upon being made a fighting-officer, a position for which he turned out to be eminently qualified.

When the regiment's organization was completed the captains of the companies were as here stated:

Company A, recruited in Denver by Colonel Slough, Edward W. Wynkoop.

Company B, recruited at and in the neighborhood of Central City by Lieutenant-Colonel Tappan, Samuel M. Logan.

Company C, recruited for the most part in Denver and in the Buckskin Joe District in the South Park, Richard Sopris.

Company D, in the main recruited in Denver, Jacob Downing.

Company E, of which most of the men were from the California Gulch and Buckskin Joe districts, Scott J. Anthony.

Company F, recruited in the section that is now Clear Creek County, Samuel H. Cook.

Company G, also recruited in the Clear Creek County section, Josiah W. Hambleton. At the end of November, Hambleton was cashiered for insubordination, but later was given an honorable discharge. He was succeeded by William F. Wilder, who had been First Lieutenant of the company.

Company H, recruited mainly at Central City, George L. Sanborn.

Company I, recruited in Denver, Central City and elsewhere in the Clear Creek mining-districts, and which consisted almost entirely of Germans, Charles Mailie.

Company K, recruited for the major part in Denver and Central City, Charles P. Marion. This officer was cashiered late in November for insubordination, and was succeeded by Samuel H. Robbins, who had not theretofore held a commission in the regiment.

In October, a rendezvous, named "Camp Weld", in honor of the Secretary of the Territory, was established on the east side of the South Platte River, in a locality about two and one-half miles above the mouth of Cherry Creek, where "comfortable and sufficient barracks" were built at a cost of nearly \$40,000. The troops, which previously had been quartered in Denver, now were removed to the new camp and put under more effective discipline.

By the end of November, the ranks of the two additional companies which Ford and Dodd were commissioned to enlist had been filled, and the organizations were ready to be mustered in. The one was familiarly known in the Territory as "Captain 'Jim' Ford's Independent Company", and the other as "Captain Dodd's Independent Company"; Lieutenant Dodd having been promoted to the captaincy of the latter. These companies were recruited at Cañon City, most of the men being drawn from the territory now embraced by El Paso, Frémont and Pueblo counties.

As the Federal Government did not at that time possess an abundance of the materials of war, and as the means of transportation were slow, Governor Gilpin had encountered many vexatious difficulties and delays in procuring arms and other equipment from the War Department for his volunteers. The guns that he had collected from the people, and of which but few were alike, afforded makeshift arms for camp duty, but were utterly unfit for use by an organized military force in the field, even had their number been sufficient for all the companies. But at length,

weapons of regulation pattern and other military equipment for the regimental organization, though scant in quantity and not of a superior quality, were received, and the ten companies at Denver were mustered in as the First Regiment of Colorado Volunteer Infantry.

However, the Governor's greater embarrassment was born of the lack of money for his current military needs. The appropriations by Congress to aid in the support of the Territorial Government did not include a dollar for military purposes, nor had the executive authorities at Washington placed any military funds at his disposal. As we have seen, the Territorial Government was not put into full operation until nearly two months after the Governor first began to prepare for war. But this did not seriously affect the situation with respect to financial resources, as the conditions were such that the Legislative Assembly practically was powerless to provide money for military uses. A system of taxation yet had to be established, and the machinery of county government, one of the functions of which was to levy and collect taxes, remained to be erected and set in motion. So, at that time, the Assembly could do but little more in assisting the Governor than to give him its moral support, which it did fully and heartily. The joint resolution declaring the Territory's loyalty to the Union, which it adopted at the beginning of October (approved October 3d), read as follows:

"Be it Resolved by the Council and House of Representatives of Colorado Territory, as follows, to-wit:

"Resolved, That the deplorable civil war in which the United States Government is now engaged, was brought about by the unjustifiable and traitorous acts of the disunionists at the South, and therefore the sole responsibility for all its legitimate consequences rests with them alone.

"Resolved, That all the resources of the Country both in men and means to their utter exhaustion should be at once called out, if needed, to defend the National Government, and to preserve the integrity of the Union.

"Resolved, That the pretended right of secession, as claimed by some of the States of the Union, has no warrant in the Constitution and is wholly repugnant to the principles on which our Government was founded.

"Resolved, That after this rebellion shall have been crushed out, the supremacy of the Federal Constitution shall have been fully conceded, and the rights of the Union shall have been amply guaranteed, then there should be invoked the same spirit of concession and compromise to perpetuate our institutions, in which they were first conceived and framed.

"Resolved, That the People of Colorado Territory, utterly ignoring all former political classifications, heartily sympathize with the Federal Government in its present contest, approve of its leading acts, which have been necessarily undertaken for its own self-existence and self-defense, and pledge themselves to co-operate to the full extent of their power, in all constitutional measures which may hereafter be adopted toward the prompt and decisive conclusion of the war thus waged on its part only for the maintenance of the Constitution and the enforcement of the Laws."

Another joint resolution, approved on October 29th, in part consisted of the following:

"Whereas, The rebellious war now waged against the United States of America, (to the Government of which this Territory owes allegiance, and to which the people are earnestly and heartily devoted,) has seriously affected our own interests and threatened our peace, and Whereas, In such a time it is essential that the Executive branch of the Government of this Territory should have the entire confidence and cordial co-operation of the people thereof, and of the Administration at Washington; Therefore, as an expression of the people of this Territory, in this regard, be it

“Resolved, by the House of Representatives, the Council concurring:

“First, That in Governor William Gilpin, we find a man eminently fitted and qualified for the difficult and important position he now occupies, as Governor of the Territory of Colorado.

“Second, That, surrounded as we are by numerous tribes of Indians, who are aided and abetted by the common foe of our whole country, the rebel traitors, whom we have among us and around us, we deem the precautionary action and policy of our Executive wise and judicious, and pledge to him our cordial and hearty support.”

However, the expense of the Governor's military preparations had to be met in some way—by some expedient that would serve as a substitute for cash. His troops had to have food and shelter, and be provided for otherwise; and means for supplying the numerous and varied incidental requirements also had to be considered. The organization of even one regiment of soldiers involves the outlay of a large sum of money.

Governor Gilpin turned to a novel method of dealing with his official financial necessities in that emergency. In payment for military supplies and of miscellaneous military expenses, he issued negotiable drafts, signed by him as “Governor Colorado Territory”, on the Secretary of the United States Treasury, payable “at sight”; a proceeding for which he had no authority whatever, as he was destitute of power to put forth such evidence of indebtedness against the Federal Government. The total of the drafts, all of which were issued in the autumn months of 1861, was said to have approximated \$375,000, but no definite statement of their sum is at present available. They were readily accepted in Colorado in payment for supplies and services, and many of them had more or less circulation as currency, no one for the moment doubting their validity or that they would be duly honored when they reached Washington. But instead of being paid upon their appearance at the Federal Treasury, they were refused any recognition and thrown back to the holders, as so much waste-paper. The effect of this was exasperating and to a serious extent disastrous to merchants and others who had accepted the drafts in payment of their just dues. Of other consequences of their issue, and of the subsequent liquidation by the Federal Government of the indebtedness that they represented, I shall give some account upon later pages of this chapter.

Nevertheless, it is probable that but for the Governor's financial expedient no Colorado organization of troops would have been formed in that critical autumn. It enabled him to organize the Territory's volunteers and to hold them together until their maintenance was assumed, toward the end of that season, by the Federal War Department.

Beside the First Regiment and the two companies that were intended to be the nucleus of another, and which were enlisted for a period of three years, “or during the war”, two companies of “Home Guards”, designated as “Company No. 1” and “Company No. 2”, were organized in Denver City in September and the early part of October, for six months of service. The Governor appointed Joseph Ziegelmuller as Captain of the first, and James W. Iddings as Captain of the second. These troops, which performed provost and guard duty in Denver and at Camp Weld, were recognized by the Federal War Department, duly mustered in as volunteers, and were mustered out in the spring of the next year.

The two companies recruited by Ford and Dodd remained at Cañon City until well into the month of December (1861), waiting to be mus-

tered in and equipped for service. Late in November, three companies of the First Regiment, under the command of Lieutenant-Colonel Tappan, were marched from Camp Weld to Fort Wise, where they tarried during the following winter. That post then was commanded by Lieutenant James M. Warner, of the Regular Army, and who was by no means pleased by the indifference to many of the forms of military etiquette and by the off-hand manners of his volunteer reënforcements. Nor did the latter regard the Lieutenant's personal bearing and his conceptions of discipline with any semblance of cordial approval.

Ere the first Union volunteer had enlisted in Colorado, the rim of a portentous war-cloud was rising above the southern horizon of the Territory. After the Texas ordinance of secession became effective, early in March, 1861, Confederate leaders in that State immediately began to prepare for seizing and occupying the Federal military posts that stood upon Texas soil, and also for taking possession of the Territory of New Mexico, which then embraced the area of the present Territory of Arizona. Within a few months thereafter, all Federal troops that had been stationed in Texas, including the garrison of Fort Bliss, on the Rio Grande and a short distance below the Mexican town of El Paso, were withdrawn, the bulk of the materials of war with which the evacuated posts had been supplied falling into the hands of the Texans.

President Buchanan's Secretary of War, John B. Floyd, in his systematic distribution of military equipment and supplies throughout the South, in anticipation of the rise of the Southern Confederacy, had not overlooked Texas and New Mexico. The Federal posts in these divisions had been well stocked by him with munitions of war; and at Fort Union, some fifty miles northeasterly from Santa Fé, exceptionally generous quantities of such materials were stored. Moreover, the provident Secretary had stationed an undue proportion of army officers from the Southern States and an unusually large number of Federal troops at the military posts in New Mexico; evidently in expectation that these officers, after the threatened secession of the States of the South had come to pass, would resign to join the Southern Army and also persuade many of the soldiers at these posts to go with them. But, as may be mentioned here, while nearly all the southern-born officers on duty in New Mexico in 1861 resigned their commissions and entered the Confederate service, the desertions from the ranks were few.

On March 22d, Colonel William W. Loring, a native of North Carolina, and who had an excellent record as an officer, was placed in command of the Federal forces in New Mexico, with headquarters at Santa Fé. After about three months of service there, during which time he gave great aid and comfort to the Confederate plans for invading that Territory, he resigned and went over to the Southern Army. Loring was succeeded by Colonel Edward R. S. Canby, a loyal officer, born in Kentucky, but whose home from boyhood had been in Indiana. Later in the year he established his headquarters at Fort Craig, a Federal post on the Rio Grande, about 150 miles above El Paso.

The greater part of the people of New Mexico at that time dwelt in the valley of the Rio Grande, and it is probable that a majority of them were not in sympathy with the secession movement, though not generally disposed to be aggressive in opposition to it. But the thin population of

what is now the Territory of Arizona was so largely in favor of the Southern Cause that in a convention held at Tucson, late in the spring of 1861, the western half of New Mexico was declared to be an appendage to the Confederacy, and a Delegate to serve in the Confederate Congress was elected by the gathering.

Early in July, John R. Baylor, a Confederate Lieutenant-Colonel, with several Texan companies of mounted infantry and some artillerymen, occupied Fort Bliss. Shortly afterward, leaving a small detachment of his men in charge of that post, Baylor started up the Rio Grande with the rest of his force, which included a field battery.

At that time, Fort Fillmore and Fort Thorne, on the Rio Grande, the former being situated thirty-six miles above El Paso and the latter about forty miles farther up the river, were held by Federal troops. When Baylor drew near to Fort Fillmore, its commandant, Major Isaac Lynde, made a feeble effort to resist his advance, but was defeated in an engagement that was not above the grade of a skirmish. Lynde, whose command consisted of nearly 500 Regulars, now abandoned Fort Fillmore and hurriedly took refuge at San Augustin Springs, some twenty-five miles northeasterly from the fort. Baylor, with about 300 of his Texans, pursued Lynde, and overtook him on July 27th, when the Federal commander, regardless of the protests of his officers and without having attempted any resistance whatever, abjectly surrendered and laid down his arms. This discreditable affair was followed by the evacuation of Fort Thorne and the removal of its garrison to Fort Craig, and which left that part of the Rio Grande Valley lying below the last-named post in Baylor's hands. The Confederates marched on up the valley, but after a skirmish with a detachment from Fort Craig they retired, content for the present with what they had already accomplished.

In a proclamation issued on August 1st, Colonel Baylor announced to the people dwelling in the field of his conquest that he had taken possession of the southern half of New Mexico "in the name and behalf of the Confederate States of America"; that he had made the town of Mesilla its seat of government, and should appoint for it a complement of civil officers. In a later announcement he declared that Confederate jurisdiction extended over nearly the whole of the northern half of the Territory.

Colonel Baylor's swift and effective operations caused Colonel Canby to assemble at Fort Craig, during the next several weeks, all the Federal troops in New Mexico available for increasing its garrison, and to enlarge and strengthen that post. But he made no attempt to disturb Baylor, and permitted the autumn to wear on without any aggressive activity on his part. Late in that season he appealed to the Governor of Colorado for volunteer reinforcements.

Among the officers of the United States Army who had recently been stationed in New Mexico was Major Henry H. Sibley, a native of Louisiana, who had been graduated at West Point, and had distinguished himself in the Mexican war, as well as in other military service. Sibley resigned in May, 1861, and early in the following July was appointed a Brigadier-General in the Confederate Army by Jefferson Davis, with instructions at once to organize in Texas a brigade of mounted infantry and two batteries of light artillery. With this force he was to expel from New Mexico all the Federal troops then in that political division, take

possession of all Federal "arms, supplies and materials of war" to be found therein, and to establish a military government in the northern part of the Territory. After having accomplished these preliminaries, he was to add largely to the strength of his army by enlistment of sympathizers with the South and then proceed to the consummation of far more ambitious purposes. By the middle of the ensuing December, Sibley and the major part of his brigade were at Fort Bliss, engaged in further preparations for entering upon the execution of these orders. On the 20th of that month, the leader issued a proclamation, addressed to the people of New Mexico, in which he said that "by geographical position, by similarity of institutions, and by future destinies" their Territory "pertains" to the South; and that by virtue of the power vested in him he abrogated "the laws of the United States levying taxes upon the people" of New Mexico. He also appealed, "in the name of former friendship", to his "old comrades in arms" among the Federal troops in the Territory to sever their allegiance to "the usurpers of their government and liberties" and join his command. "I am empowered", said he, "to receive you into the service of the Confederate States—the officers upon their commissions, and the men upon their enlistments". But this entreaty was without effect, although one of Canby's subaltern officers deserted and went over to Sibley two months later.

The greater designs which the Confederate Government had in view when General Sibley was directed to invade and occupy New Mexico were doomed to be shattered and rendered impotent, a result that was due almost wholly to the exalted valor of Colorado volunteer-soldiers. These ultimate purposes, and their probable consequences had they been fulfilled, are outlined in the following extract from the preface (by the present writer) to Whitford's *Colorado Volunteers in the Civil War: the New Mexico Campaign in 1862*, published by the Colorado State Historical and Natural Historical Society in 1906, and which deals exhaustively with its subject:

"The men in whom were the military ability and the very bone and sinew of the Union Cause in that campaign, and who bore the burden of hardship and sacrifice in winning the victory which abruptly checked and turned the rising tide of Confederate successes in the Southwest, were citizen-soldiers of the Territory of Colorado.

"On the part of the Confederates that campaign meant far more than appears when it is considered merely as a military enterprise—as an ambitious inroad into a section of the national domain outside the boundaries of the Southern Confederacy. Back of it was a political project of vast magnitude, upon which enthusiastic Southern leaders had set their hearts.

"In 1860, 1861 and well into 1862 the militant spirit of disunion was not confined to the slave-holding States of our country. Disruption of the old Union was boldly advocated among and favored by a large and influential element of the population of California—an element that predominated in number and influence in the southern half of that State. Far-northwest Oregon had many earnest and active supporters of secession, who thought their interests demanded an independent government on the Pacific Slope. In the Territory of Utah, which then [until the spring of 1861] included the area of the present State of Nevada, those of its people of the Mormon persuasion had been embittered against the United States Government by reason of their long-continued embroilments with it, and were ready for any change in which immunity from interference in their church-and-domestic affairs was conceded to them. The inhabitants of New Mexico were divided in sentiment, but while probably more than one-half of them at heart were for the Union, those of

the western part of the Territory (the present Arizona) were almost unanimously against it; and these, as well as the other sympathizers of the breaking-up policy, were led by men of high standing among them and of extreme determination. When the Territory of Colorado was organized, in 1861, a large majority of its population was in the town of Denver, and in the Clear Creek, the Boulder and the South Park mining-districts. Perhaps rather more than two-thirds of the people were loyal to the Union, but among their friends and associates and neighbors were many who were ardent and outspoken for the Southern Cause. The first discovery of gold here that was followed by practical results had been made by Georgians in 1858, and a host of Southern men had come into the territory in 1859 and '60. . . . These Colorado pioneers from the South were, as a rule, men of sterling character and of much personal popularity.

"In this backward glance at the political conditions existing in Colorado, New Mexico, Utah, and on the Pacific Coast, we may see the reasons for the exuberant hopes that were sanguinely cherished by some southern leaders in 1861-'62. Because of these conditions they confidently expected to split off from the Union, in addition to the States which had already seceded and formed the 'Confederate States of America', these three Territories and the larger part, if not all, of the Pacific Coast proper. Their anticipations and plans embraced even more than this, for it was their intention to acquire, also, either with money or by force of arms, a large part of northern Mexico, which was to be annexed to the Southern Confederacy. Major Trevanion T. Teel, one of General Sibley's very efficient officers, in a brief account of the objects of the Confederate campaign in New Mexico in 1862 and of the causes of its failure, written and published about twenty years ago, said that if it had been successful,

'negotiations to secure Chihuahua, Sonora and Lower California, either by purchase or conquest, would be opened; the state of affairs in Mexico made it an easy thing to take those States, and the Mexican President would be glad to get rid of them and at the same time improve his exchequer. In addition to all this, General Sibley intimated that there was a secret understanding between the Mexican and the Confederate authorities, and that, as soon as our occupation of the said States was assured, a transfer of those States would be made to the Confederacy. Juarez, the President of the Republic (so called), was then in the City of Mexico with a small army under his command, hardly sufficient to keep him in his position. That date (1862) was the darkest hour in the annals of our sister republic, but it was the brightest of the Confederacy, and General Sibley thought that he would have little difficulty in consummating the ends so devoutly wished by the Confederate Government'.

"But we have not yet reached the limit of Southern purposes in that memorable campaign. Confederate control of the gold-producing regions of the West then known—Colorado and California—was another great result expected from its successful issue, and which figured largely in the calculations. President Lincoln held these sources of gold supply as being of vital importance to the Union Cause, as forming 'the life-blood of our financial credit'. Jefferson Davis, President of the Southern Confederacy, also comprehended their value in that time of stress, and hoped to make them an acceptable basis of foreign loans to his government.

"It is usually unprofitable to speculate about what 'might have happened'; yet there can be no reasonable doubt that if the Confederate army which entered New Mexico at the beginning of 1862 had not been stopped and defeated at La Glorieta, or somewhere else in that vicinity about the same time, our histories of the War for the Union would read differently. In their dreams of the near future some Southern leaders saw their Confederacy extended to the Pacific Coast and embracing more than one-half of the territory of the United States, while in those of others it formed a junction and an alliance with another division of the old Union—with a 'Western Confederacy' having dominion over all that part of our country lying west of the Continental Divide, save in the South an outlet to the Pacific for the Southern people. Had General Sibley succeeded in taking Fort Union, with its large stores of arms, artillery and general military supplies, his further progress before he could have been confronted by an adequate force perhaps would have been over an easy road toward fulfillment of the plans of his government. We are further informed by Major Teel that 'Sibley was to utilize the results of Baylor's successes,' and that,

'with the enlistment of men from New Mexico, California, Arizona and Colorado, form an army which would effect the ultimate aim of the campaign, for there were scattered all over the Western States and Territories Southern men who were anxiously awaiting an opportunity to join the Confederate army; . . . an army of advance would be organized, and "On to San Francisco" would be the watchword.'

"With the Pacific Coast in their possession by conquest, or with a free way to it by alliance with a 'Western Confederacy,' the world would have been opened to the Confederates, since it would have been impossible for the Federal navy effectively to blockade that coast. Furthermore, the oceans could have been made to swarm with Confederate cruisers and privateers preying upon the commerce of the Union. An approach to success in this great scheme, with a prospect of the domain of the United States becoming broken into three minor nationalities, probably would have secured recognition of the Southern Confederacy from the English and French governments at once, and perhaps from others in Europe. What, then, might the consequences have been?

"It was such considerations as those outlined in the foregoing that induced Confederate leaders in 1861-'62 to attempt to establish provisionally a military government in western New Mexico, and to send General Sibley forth to carry the war into the Rocky Mountains. Regarded solely from a military standpoint, the mere conquest and occupation of New Mexico, and even of Colorado in addition, could have worked no advantage of importance to the Southern Confederacy; but possession of both would have strongly fortified subsequent efforts to consummate the greater purposes. Bearing in mind these comprehensive designs, we shall be better prepared to appreciate the services rendered the Nation by Colorado volunteers in the New Mexico campaign in 1862.

" . . . As a military achievement the defeat of General Sibley was overshadowed by the greater conflicts of the war, and the bold political project which it caused to vanish into thin air belongs to a part of the history of that period of which but little has yet become commonly known. In a lesser war the hurried march of Colorado volunteers to the rescue and their desperate fighting in La Gloriéta Pass, with the great issues at stake forming the background of the scene, would have been celebrated long and far in song and story. . . ."

It was in consequence of information of General Sibley's preparations to follow Colonel Baylor into New Mexico with a much larger force, that Colonel Canby urgently requested Governor Gilpin to send him some Colorado volunteer reinforcements. In response thereto, the two companies recruited by Ford and Dodd were despatched to his assistance. Dodd's company left Cañon City on December 7th (1861), and Ford's on December 12th, and marched, by way of the Sangré de Cristo Pass, to Fort Garland, in the San Luis Valley, a distance of 110 miles. Here, Dodd's company, on December 14th, and Ford's, on the 24th, were mustered into the United States service, provisionally and respectively as companies A and B of the Second Regiment of Colorado Volunteer Infantry, and were equipped for the field. Late in December, Company A proceeded to Santa Fé, and after a brief halt in that town put out, with some other troops, upon the long march down the Rio Grande Valley to Fort Craig, which it reached in the fore part of February. Company B remained at Fort Garland until February 4th, when it also was sent to Santa Fé. But instead of following Company A to Fort Craig, as had been expected, this company was ordered to go to Fort Union, to strengthen the depleted garrison of that post, at which it arrived on March 11. These companies were the first of the Colorado volunteers to leave the Territory for active service.

Aroused by Baylor's invasion of and operations in their Territory, and by Sibley's preparations to carry the war farther into it, the loyal people of northeastern New Mexico had undertaken the formation of five regiments of volunteers to aid in resisting the invaders: and ere the middle

of February, one of these regiments, of which Kit Carson was the Colonel, and parts of four others, together with several unassigned emergency-organizations, had joined Colonel Canby's force at Fort Craig.

In the meantime, neither General Sibley nor Colonel Baylor had been inactive. The greater part of the former's command had been moved late in December from Fort Bliss to the vicinity of Mesilla, near Fort Fillmore, and was encamped in the Mesilla Valley; and Baylor now was exercising at Mesilla the functions of Military Governor of the Confederate "Territory of Arizona". The Confederate Congress had, on January 21st (1862), gone through the forms of annexing to the Confederacy all that part of New Mexico lying below the 34th parallel (a little less than one-half of the Territory), had designated it as the "Territory of Arizona", and had authorized President Davis to appoint military and civil officers for it. Baylor had been made its Military Governor, and also the commander of such Confederate troops as might be stationed in it.

To sustain Baylor's authority in the western section of his "Territory", Sibley had sent a detachment of his men to Tucson, some two hundred and fifty miles west of Mesilla, and which arrived there on February 28th. He had also sent envoy to the Governors of the Mexican States of Chihuahua and Sonora to "establish friendly relations" between those States and the Confederacy. But these missions were not productive of results that were of practical value. President Davis had directed him at once to enlist a regiment of Mexican citizens of that part of the Rio Grande Valley then under Confederate control, and had authorized a conscription, should it be found necessary to resort to such a method. Sibley had attempted to obey these instructions; but as volunteers failed to appear, he decided to defer the organization of additional forces until he had entered the section of the northern country in which he believed there were thousands of Americans eagerly awaiting to join his army. However, the strength of his command was not appreciably increased after it entered New Mexico. No considerable number of either American or Mexican citizens of the Rio Grande Valley went to his assistance in any capacity. In his report of his disastrous campaign, made to the Adjutant-General of the Confederacy in the following May, he said that his troops "manifested a dogged, irreconcilable detestation of the country and the people".

Although the main body of his force had been sent to the Mesilla Valley, Sibley was detained at Fort Bliss until near the middle of January by the belated coming, from San Antonio, of the final addition of Texans to his command. With these delayed men he now proceeded to Mesilla, and on the 16th of that month set out at the head of his small army on a march to Fort Thorn, which, as I have heretofore mentioned, had been evacuated by its Federal garrison six months before. He had expected thus to have been in motion nearly two months earlier.

Sibley remained at Fort Thorn until February 7th, when he resumed his northward march. He had now about 2,700 men, fifteen pieces of artillery, and a long and heavily-laden wagon-train. Moving up on the west side of the Rio Grande, he encamped, on the 12th of that month, in a locality about seven miles below Fort Craig, which stood on the same side of the river; and on the 16th, challenged Colonel Canby to battle upon the adjacent open plain, but which was declined by the Federal com-

mander, who expected to engage his enemy from a more advantageous position. Of the numerical strength of the two forces at that time, Colonel Canby, in a report subsequently made to the Adjutant-General of the United States Army, said:

"His [Sibley's] force consisted of Riley's and Green's regiments, five companies of Steele's and five of Baylor's regiments, Teel's and Riley's batteries, and three independent companies, making a nominal aggregate, as indicated by captured rolls and returns, of nearly 3,000 men, but reduced, it was understood, by sickness and detachments, to about 2,600 when it reached this neighborhood [that of Fort Craig].

"To oppose this force I had concentrated at this post [Fort Craig] five companies of the Fifth, three of the Seventh, and three of the Tenth Infantry, two companies of the First and five of the Third Cavalry, McRae's battery (G of the Second and I of the Third Cavalry, and a company of Colorado volunteers [Dodd's]. The New Mexican troops consisted of the First Regiment (Carson's), seven companies of the Second, seven of the Third, one of the Fourth, two of the Fifth, Graydon's Spy Company, and about 1,000 hastily-collected and unorganized militia, making on the morning of the 21st [of February] an aggregate present of 3,810."

On February 19th, Sibley crossed to the east side of the Rio Grande, and by a short detour to the eastward of Fort Craig placed his army in battle array near the river, on that side, in the morning of the 21st, at a point five miles north of the Federal post, and in the immediate neighborhood of the old hamlet of Valverde. Here, on that day, was fought the first severe battle between Union and Confederate forces in the Southwest, and which was a bloody encounter, that ended in a victory for Sibley and his Texans.

The conflict began early in the forenoon, and continued until the sun was low in the West. For the first hour or so it was an artillery duel, but thereafter it became a series of charges and countercharges, with hand-to-hand fighting. Late in the afternoon, the Confederates, in a desperate assault, captured the most efficient Union battery, of six fine field-pieces, an achievement that turned the tide in their favor and caused the Union troops presently to retire from the field and return to Fort Craig, from which they had come in the morning in force much greater than that of the enemy.

In proportion to the number of men actually engaged in the battle, the casualties were unusually heavy. Lieutenant-Colonel Benjamin S. Roberts, of the Regular Army, and who was Canby's chief lieutenant, said in his report that the Union losses "were unexampled, it is believed, in any single battle ever fought on this continent." Colonel Canby reported that he had three officers and sixty-five enlisted men killed on the field; three officers and 157 enlisted men wounded, of whom "a number died" soon afterward; and one officer and thirty-four enlisted men missing. According to later reports, the Union dead, including those who died of their wounds within a week or two, numbered about 100. In Captain Dodd's company of Colorado volunteers, who fought like seasoned veterans, two were killed, two mortally wounded, and twenty-six more or less severely wounded: the aggregate being more than one-third of the company's strength in the morning of that day. Reports as to the Confederate losses varied from Sibley's "forty killed and 100 wounded" to a Union officer's estimate of "150 killed and 450 wounded." It is probable that the facts would be represented by figures standing about midway between these.

However, Sibley's losses did not deter him from moving onward. After having demanded the surrender of Fort Craig and receiving a refusal, he resumed his northward march on the 23d, taking the captured Union battery

with him; daringly leaving Canby behind, interrupting the latter's communications, and cutting him off from his sources of supplies. Though unopposed, Sibley was retarded in his progress by the transportation and attention required by his wounded men, most of whom were left at the village of Socorro when he reached that place. However, he sent a strong detachment in advance, which, early in March, occupied Albuquerque, where the rear of his force arrived on the 17th of that month. Meanwhile, 500 of his mounted men, under Major Charles L. Pyron, had gone forward and taken possession of Santa Fé and within a week afterward the main strength of his command was encamped at Galisteo, some twenty miles south of Santa Fé, and less than fifteen from the western end of La Gloriéta Pass.

When Sibley's scouts had approached Albuquerque, the slender Federal force stationed there hurried away to Santa Fé. By the 10th of March, these troops and the small garrison of Fort Marcy, at Santa Fé, had retired to Fort Union, taking with them from the Territorial capital all Federal munitions and supplies for which they could provide means of transportation, but barely escaping capture by Major Pyron. The Governor and other civil officers of New Mexico joined in the flight, and made Las Vegas the seat of government in the emergency. A Union officer stationed at Santa Fé, in a report written on February 28th, after referring to the "critical condition" of affairs, went on to say that "a force of Colorado volunteers is already on the way to assist us, and they may possibly arrive in time to save us from immediate danger".

This organization of volunteers was Colorado's First Regiment. News of the advance of the greater portion of Sibley's troops from Fort Bliss to Mesilla had been received at Denver City before the middle of January, and immediately an effort was made to have General David Hunter, in command, at Fort Leavenworth, of the military division of which Colorado was a part, order the regiment to go to the aid of Colonel Canby. But February was half gone ere General Hunter called upon the Territory for further assistance in opposing Confederate operations in New Mexico. Hunter's instructions, dated February 10th, and received at Denver by Acting Governor Weld on the 14th, were as follows:

"Send all available forces you can possibly spare to reinforce Colonel Canby, commanding Department of New Mexico, and to keep open his communication through Fort Wise. Act promptly and with all the discretion of your latest information as to what may be necessary and where the troops of Colorado can do most service."

Seven companies of the First Regiment had been at Camp Weld since their organization early in the previous autumn, and the three that had been sent to Fort Wise in November still were there. As all had chafed and fretted, to the verge of mutiny, under the monotonous and vexatious routine of camp duty, they hailed General Hunter's instructions with delight and enthusiasm. The seven companies marched from Denver on February 22d, the day after Canby's defeat at Valverde; and the three at Fort Wise set out from that post on March 3d. They were ordered to move with all possible despatch, unite in the southern part of the Territory, and thence to proceed to Fort Union. The two columns came together near Trinidad, with all the men in a state of feverish anxiety to press forward, as they already had heard tidings of Canby's disaster. When they were descending the southern slope of the Raton Pass, they were met by a courier

from Fort Union with the news of General Sibley's victorious advance from Fort Craig up the Rio Grande, and with an appeal from the commandant of Fort Union for the regiment to hasten to that post. By forced marches, one of which practically was continuous for a distance of sixty-seven miles, the entire command reached the fort in the evening of March 10th.

By virtue of the seniority of his commission, Colonel Slough, first officer of the Colorado regiment, now took command of Fort Union, and completely equipped and supplied his men from the post's stores. In instructions dated March 16th, and brought by a courier who managed to escape Confederate attention, Colonel Canby, who seems to have been in ignorance of the movements of the Colorado regiment, ordered the commandant of Fort Union to hold that post at all hazards, but directed that Fort Garland be abandoned and destroyed should Sibley menace it by an advance from Santa Fé on up the Rio Grande Valley.

On March 22d, Colonel Slough, with his regiment, Captain Ford's Colorado company, one incomplete company of the Fourth Regiment of New Mexico Volunteers, a weak battalion of Federal infantry, three small detachments of Federal cavalry, and two light batteries of four guns each—in all, 1,342 men, of whom three-fourths were Colorado volunteers—moved from Fort Union upon an advance toward Santa Fé. In the afternoon of the 24th the troops went into camp at Bernal Springs, on the Santa Fé Trail, and about forty-five miles southwesterly from Fort Union. In opposition to the judgment and advice of the officer whom he had superseded, Slough had determined not to wait for the Confederates to come to him, but to go forth to meet them and fight them wherever he found them.

Ere this time, the Confederates had prepared to move forward to the capture of Fort Union, the construction of which, several years before the war, had been superintended by General Sibley. While most of his troops still were at Galisteo, an advanced force of Sibley's army now was encamped some thirty-five miles northwesterly from Bernal Springs, in a locality at the western end of La Gloriéta Pass, which was traversed by the Santa Fé Trail. Colonel Canby yet was at Fort Craig, with his defeated troops, and did not start northward in pursuit of Sibley until April 1st. As in the case of Canby, the Confederate commander appears to have been without knowledge of the Colorado regiment's presence in the Territory. He anticipated no serious difficulty in taking Fort Union, with its great stock of military equipment and supplies, and in securely quartering his army within its defenses, there to await the coming of Canby. Indeed, Sibley seems now to have regarded the latter and his troops as constituting a quantity that was almost negligible.

After noon of March 25th, Major Chivington, of the First Colorado, with 268 enlisted men of his regiment (eighty-eight of whom were mounted) and 150 Federal cavalrymen, the total of the force, including officers, being about 440, but having no artillery, left Bernal Springs with the intention of rescuing Santa Fé from the invaders, and which was reported then to be occupied by about one hundred Confederates, with two pieces of artillery. Of the commander of this expedition, Whitford says:

“Chivington developed extraordinary ability, although he had had no military training before he abandoned the pulpit for the battlefield. In action he became the incarnation of war. The bravest of the brave, a giant in stature, and a whirlwind in strife, he had, also, the rather unusual qualities that go to make soldiers personally

love such a leader and eager to follow him into the jaws of death. The admiration and devotion of his men became unbounded. He was their ideal of a dashing, fearless, fighting commander."

When encamped for the night of the 25th, at Martin Kozlowski's ranch-house, on the Santa Fé Trail, and about half-way between Bernal Springs and the eastern entrance to La Gloriéta Pass, Chivington was told that some Confederate scouts had been there early in the evening, and had gone in the direction of the pass. Forthwith, he sent a detachment of twenty-one of his Colorado volunteers in search of them, and which captured the party before daybreak, without having fired a shot, in a ranch-house that stood in the entrance to the pass, and which was owned by a Frenchman named Vallé, but who was popularly known as "Pigeon". Chivington learned from these prisoners that the advance division of Sibley's army, which they said numbered 800 men, was at the eastern end of the pass, and was to move toward Fort Union on the morrow.

Chivington resolved to go forward and attack the enemy with the force now under his command. By eight o'clock in the next morning his troops were in motion and presently entered La Gloriéta Pass, the summit of which they crossed about two o'clock in the afternoon. An hour later, in the section of the pass that is known as Apache Cañon, they collided at a bend in the trail with Sibley's advanced division, commanded by Major Pyron, confidently marching up the cañon on the way to Fort Union, but not in strength so great as the captured scouts had stated, although outnumbering Chivington's men and having two howitzers. The Confederates still were in the dark as to the Colorado regiment's presence in the Territory, but had heard that a force from Fort Union, which they understood to consist of about 200 Regulars and 200 Mexican volunteers, was ahead of them somewhere to oppose their advance.

Here, in this cañon, was fought the first of the two engagements that constituted the Battle of La Gloriéta Pass, the "Gettysburg of the Southwest"; and here, before night came on, the Texans had been defeated and routed for the first time in their campaign. Fire was opened immediately by both sides, but as the Confederates soon found their situation "untenable", they retreated about a mile farther down the cañon and there made a stand in a more favorable position. Chivington handled his men with great skill in his pursuit and defeat of the enemy. When the latter halted, the unmounted Colorado volunteers were ordered to take to the mountainsides of the cañon, from which presently they were pouring "a most galling and destructive fire" upon the Confederates. Finally the mounted Colorado volunteers with a detachment of the Federal cavalrymen charged in a body upon the broken ranks of the Texans, who were scattered by the furious onslaught and now retreated in disorder down the cañon, toward the camping-place from which they had set out in the morning, leaving their dead and their severely wounded upon the field, and about eighty of their number prisoners in Chivington's hands. Late in the evening, Major Pyron sent back, under a flag of truce, a request that he be permitted to bury his dead and remove his wounded. Chivington consented to an armistice that should cease at eight o'clock in the morning of the second day thereafter—March 28th.

According to a report written by Chivington within two or three hours after the engagement, the Union loss in the Apache Cañon was five killed

and fourteen wounded. But it appears that there were several casualties, including one that was fatal, of which he had not heard at that time. Four of the killed and seven of the wounded were Colorado volunteers, Captain Samuel H. Cook being among the wounded. After the fight was over, Lieutenant William F. Marshall, of Cook's company, was accidentally killed by the discharge of a prisoner's musket, which he was breaking by striking it upon a rock. The total of the Confederate loss is unknown, but it is probable that it was three times as great as that of the Union troops, both in killed and wounded. Among the Confederate killed were seven officers.

Having learned that a Confederate force much larger than Pyron's was encamped at Galisteo, and anticipating that it would advance immediately after the expiration of the truce, Chivington, after gathering his dead and mand back to Pigeon's Ranch, where he encamped and buried his dead. In his wounded and several of the Confederate wounded, marched his com-Pyron despatched a courier to Lieutenant-Colonel William R. Scurry, the the afternoon of the 27th he moved to Kozlowski's Ranch, to which place Colonel Slough with the remainder of the Union force in the meantime had advanced.

At the beginning of the engagement in the Apache Cañon, Major commander of the Confederate troops encamped at Galisteo (General Sibley then being at Albuquerque), with an urgent request for reënforcements. In his report of the second engagement in La Gloriéta Pass, fought on the 28th, Colonel Scurry said that "the critical condition of Major Pyron and his gallant comrades was made known to the command, and in ten minutes the column was formed and the order to march given". By daylight in the next morning, Scurry's entire command, with his wagon-train carrying his supplies, baggage, and camp-equipment, had joined Pyron, at the western entrance to La Gloriéta Pass, which was about fourteen miles from Galisteo. In the morning of the 28th, the united Confederate forces, which after having detached nearly 300 men to guard the camp and wagon-train, numbered about 1,100, marched up the pass, in cheerful confidence in their ability to sweep before them any opposition they might encounter, and to go on and take possession of Fort Union. By this time, Scurry's scouts had reported to him the presence of about 1,500 Federal troops at Kozlowski's Ranch, but he supposed them to be Regulars and New Mexico volunteers.

Having anticipated the Confederate advance, Colonel Slough and his officers had formed a daring plan of action. In accordance therewith, Major Chivington, with about one-third of the Union force, was, by a flank movement, which had to be made by a rough and circuitous route, to ascend the mountain-ridge on the southward side of La Gloriéta Pass to a point from which he could descend into the pass and strike the Confederates in their rear; while Colonel Slough with the larger part of his little army should move directly forward and engage them wherever he met them. A small reënforcement of Regulars, including two light batteries of artillery, had been ordered from Fort Union, and which arrived late in the evening of the 27th.

Leaving a detachment of about 250 men to guard the wagon-train and camp-property, the two divisions set out from the encampment at Kozlowski's Ranch in the morning of the 28th. Colonel Slough's marched to the eastern end of La Gloriéta Pass, and halted at Pigeon's Ranch for a replenishment of water. About ten o'clock, Slough's pickets discovered the Confederate vanguard at a short distance farther up the pass. The Union

force advanced instantly, but had not gone more than half a mile ere the enemy opened a furious fire of musketry and artillery.

I shall not attempt to describe in detail the bloody conflict that now followed. The battle began in a section of the pass that was a gulch-like widening of the narrow valley, and continued upon the ground between the gulch and Pigeon's Ranch until nearly five o'clock in the afternoon, each side fighting desperately. In his reports of the engagement, Colonel Scurry said "the conflict was terrible"; that the Union troops were "the flower of the U. S. Army"; and that all of his field officers "were either killed or touched". The Confederates greatly outnumbered the Union force, but Slough's skillful disposition and management of his troops caused Scurry to believe that he was confronted by the former's entire command, as it was not until late in the afternoon that the Confederate leader heard of Chivington's movement. About the middle of the afternoon, Scurry was reinforced by upward of a hundred men from his camp-guard. These, excited by the booming of the artillery, had, in disregard of orders, hurried away from the camp to take part in the battle.

About five o'clock in the afternoon, Slough began to withdraw his men from the field and to move them into a more open position, just below Pigeon's Ranch, and which Scurry had expected to occupy before he should meet his enemy. Having held the Confederates at bay for full seven hours, Slough had given Chivington time to accomplish the purpose of the latter's flank movement. Shortly after five o'clock, one of Colonel Scurry's officers appeared, under a flag of truce, with a communication from his commander asking for a suspension of hostilities until noon of the next day, to enable the Confederates to care for their wounded and bury their dead. Colonel Slough, who was yet without knowledge of the results of Major Chivington's movement, complied with the request, and both armies rested from the sanguinary work of the day. Late in that evening, at the instance of Colonel Scurry, the armistice was extended to the morning of the second day.

It seems certain that ere Scurry sent his flag he had heard of the disaster that Chivington had inflicted upon him. The flank movement had been successful in degree that was far beyond all anticipations. Chivington's division consisted of "about 430 officers and picked men", four-fifths of whom had been drawn from the Colorado volunteers, including Ford's company: the rest being Regulars. Before two o'clock in the afternoon, and by most difficult clambering, the division reached the summit of the mountain-ridge on the southward side of La Gloriéta Pass at a point from which the men looked directly down upon the Confederate encampment. Descending the steep declivity, Chivington's force quickly overpowered the reduced guard and was in possession of the camp and all it contained. A part of the guard escaped by flight, and doubtless some of these lucky ones carried tidings of the camp's capture to Colonel Scurry. Seventeen Confederates, including two officers, were made prisoners; and five Union soldiers, who had previously fallen into Confederate hands, were released.

The work of destruction now began. All the wagons, nearly a hundred in number, with their loads of ammunition, provisions and other supplies, together with much baggage, and all the camp equipment, were

burned; everything in the form of a hand-weapon was made useless, and the one piece of artillery that had been left with the guard was ruined. A number of saddle-horses belonging to Scurry's officers, and all the draft-animals, of which there were between 500 and 600, were killed. In short, the encampment was completely wrecked and all the property the Confederates had left there was reduced to a condition in which it could be of no further utility.

Having effected his purpose, Chivington started upon his return march about dusk, taking a route that was shorter than that by which he had come; and at ten o'clock in that night rejoined Slough's command, at which time he and his men first heard of the results of the battle at the eastern end of La Gloriéta Pass. His only casualty in the day's operations was the wounding of one man—a Colorado volunteer.

The effects of the day's events abruptly terminated aggressive action by the Confederates. The ambitious purposes that had animated them thus far in their movements had been shattered beyond all possibility of repair, and the great political project that had prompted and inspired their campaign had been tumbled into the utmost depths of hopelessness. The vast domain of the Southwest was not to become Confederate territory, nor should a "Western Confederacy" arise upon the Pacific slope. The only course that was left to the brave but demoralized Texans was that of attempting to escape from New Mexico as best they might.

No satisfactory data as to the total of the Union losses in the battle of March 28th are available. In a report dated March 30th, Colonel Slough said that twenty-eight men of his command had been killed and forty wounded. But the official records of Colorado's First Regiment, which formed the backbone and saving strength of the Union force, but of which about one-third had been with Chivington on the day of the battle, show that its dead, including a few who died of their wounds shortly afterward, numbered forty-three; and that fifty-eight others were wounded. Among the dead were Lieutenant Clark Chambers, of Company C, and Lieutenant John Baker, of Company I. Company D had sixteen killed and twenty wounded; and Company I fifteen killed and fifteen wounded. The aggregate of the losses borne by these two companies was nearly two-fifths of the strength with which they had entered the battlefield. The Union dead were buried at Pigeon's Ranch, near the graves of their comrades who had been killed in the first day's fight. Nothing definite can be told as to the Confederate losses. In his report on March 30th, Colonel Slough said that the killed "amount to at least 100, and the wounded at least 150". The Governor of New Mexico reported on April 6th that the Confederate loss "does not fall short of 400 men in killed, wounded and missing", and that "near 200" of the wounded still "were at the battlefield."

When Chivington returned late in the evening of March 28th and reported his destruction of Scurry's materials of war, the first thought of the officers of the Colorado volunteers was that of taking full advantage of the Union successes by moving upon the dismayed Confederates as soon as the armistice expired, and either to force them to surrender or to disperse them as an organization. But on the next day, Colonel Slough received from Colonel Canby a peremptory order, written immediately after the latter heard of Slough's arrival at Fort Union, and therefore without knowledge

of his victories, directing him to remain at that post and to hold it "at all hazards, and leave nothing to chance". It was said afterward that Canby feared that a Confederate force might advance upon a more easterly route than that which Sibley had followed and attempt to take Fort Union. But his conduct throughout the campaign was distinguished only by incompetency. It is beyond doubt that had either Slough or Chivington held supreme military authority in New Mexico, General Sibley's broken army would have been captured or scattered within a week thereafter.

Canby's order produced great indignation among Slough's troops, but as it left nothing whatever to their commander's discretion he had to obey it. He started upon the retreating march in the afternoon of the 30th, and when he and his men arrived at the fort they found that it was not in the least danger. Exasperated by the arbitrary order and the consequences that it obviously would entail, Slough now resigned his commission and returned to Denver. In here taking leave of him, I may mention that he went to Washington later in that year, and in the spring of 1863 was given a Brigadier-General's commission by President Lincoln and placed in command of the Military District of Alexandria, Virginia. He survived the war, and shortly after its close was appointed Chief Justice of New Mexico. By what practically was the unanimous preference of the men of the First Colorado, Major Chivington was appointed to succeed Slough in command of the regiment; and Captain Wynkoop, of Company A, was advanced to Chivington's former position.

Colonel Scurry's defeated and impoverished troops made their way to Santa Fé, hungry and dispirited. Upon their arrival there, preparations immediately were begun for the retreat of the entire Confederate force down the Rio Grande Valley to Fort Bliss, Texas. Sibley evacuated Santa Fé on April 5th and 6th, but most of his helpless sick and wounded were left in the town and some of his artillery was abandoned and buried there. In the meantime, Colonel Canby, with a force of 1,200 men, of which a large number were Regulars, and that also included Captain Dodd's company of Colorado volunteers, having left Fort Craig on April 1st, was advancing up the valley, and had despatched an order to Fort Union for the Colorado regiment to come to his assistance. On April 8th, Canby encountered the retreating Confederates at old Albuquerque, and after some skirmishing together with an intermittent exchange of artillery-shots during that day and the next, withdrew to Tijeras, about fifteen miles to the northeast, leaving the Confederates in possession of Albuquerque. On the 12th, the larger part of Sibley's troops crossed the Rio Grande and proceeded on to Los Lunas, twenty miles below, there to await the coming of the remainder of the force. In the morning of the next day, Sibley, in utter indifference to Canby's proximity, evacuated Albuquerque, and with the rear of his decimated army marched down the valley, but on the eastward side of the river, and encamped at Peralta, which was nearly opposite Los Lunas. He had abandoned and buried more of his artillery at Albuquerque, was short of provisions, and hampered by the care of sick and wounded men. But he still kept the six field pieces he had captured from Canby at Valverde, although he now had no ammunition for them.

The Colorado regiment, which had moved from Fort Union promptly, joined Canby at Tijeras in the evening of April 13th. On the morrow, he set out in "pursuit" of the Confederates, and after a march of some

thirty-five miles down the eastward side of the Rio Grande halted in the evening almost within hearing-distance of Sibley's encampment at Peralta. Colonel Chivington urged that an attack be made at once, but Colonel Canby would not consent, saying that a night-assault usually was disastrous to the assailants, and intimating his preference that the Texans should succeed in getting out of the country rather than to have them captured and become consumers of his provisions, which he thought were not sufficient to his own requirements. On the next day (the 15th), Canby advanced upon the Confederates, a movement that brought on a desultory engagement that lasted until the dusk of the evening, and which in the main consisted of skirmishing and some artillery fire, but was without important results to either side. In this encounter, in which the Texans did their last fighting upon New Mexico's soil, four Colorado volunteers were killed and several others were wounded.

During that night, "with the full knowledge of Colonel Canby," Sibley withdrew from Peralta and crossed the river to Los Lunas; and early in the next morning, with his reunited but disheartened command, resumed his retreat down the valley. Canby followed, on the eastward side of the river, and for two days within plain sight of the Confederates, but made no attempt to interfere with them, "although his force was double that of Sibley's". Canby's peculiar conduct, at this juncture as well as before, was attributed by most of the men under him to his relationship to General Sibley, which was that of a brother-in-law. At a short distance below Socorro, having left his sick and wounded at his last camping-place, Sibley diverged westward from the Rio Grande and avoided Fort Craig by a detour through the San Mateo Mountains, returning to the river at a point about thirty miles below the fort, but with hardly more than the skeleton of an organization. His troops suffered very severe hardships in that part of their retreat, and many of them separated into small parties, that straggled off in various directions. General Sibley, with some of his men, reached Fort Bliss about the 1st of May, but the greater part of what was left of his army still was scattered along the Rio Grande, above that post. Colonel Baylor's Confederate "Territory of Arizona" was collapsed by the disaster, and the soldiers that had served in upholding it followed Sibley's into Texas.

In the meantime, Colonel Canby, with his entire command, had moved on to Fort Craig, at which he arrived on April 22d. In a report written at that post shortly afterward, he said that Sibley had left behind him, "in dead and wounded, and in sick, prisoners and missing, one-half of his original force". However, Colonel Canby was not entitled to credit for the crushing defeat that had befallen the Confederates, who had entered New Mexico with such vaulting ambitions, lofty expectations and great purposes. As we have seen, the results were due to the military ability and prowess of citizen-soldiers from Colorado.

In proportion to their number, the Colorado volunteers had borne exceptionally heavy losses in killed and wounded during the brief campaign. The available records of the casualties are incomplete: as, for example, they fail to report the wounded in the engagement at Peralta; and are known to be deficient as to some other wounded. However, fifty-six men are recorded as having been killed, and ninety-one as having been wounded—a total of 147. But it is probable that the number of unrecorded

wounded was sufficient to raise this total to or above 160. As the Colorado organizations that took part in the campaign aggregated about 1,100 men, their casualties were nearly fifteen per cent. of their strength. "Such losses as those in the two conflicts that constituted the battle of La Gloriéta", says Whitford, referring to the Union and Confederate casualties combined, "occurring proportionately in a struggle between two of the immense armies in the East, would have appalled the country—North and South".

Ere the retreating Confederates had made their last stand, at Peralta, William Gilpin, who had been chiefly instrumental in organizing the military forces that had wrought their undoing, had ceased to be the Governor of Colorado, in consequence of the financial methods he adopted for effecting his military preparations in the autumn of the previous year, and which were, as they still are, unique in the history of the Federal Treasury. I have, upon an earlier page of this chapter, told of his resort to the expedient of issuing drafts on the Treasury in payment for military supplies and of miscellaneous military expenses locally obtained and incurred during that season. When these "money-orders" began to appear in Washington, Salmon P. Chase, Secretary of the Treasury, summoned Hiram P. Bennet, Colorado's Delegate in Congress, to the Treasury Department, and to him denounced the Governor's action in unmeasured terms, and informed Mr. Bennet that such proceedings would not be tolerated and that none of the drafts would be honored.

It was alleged at that time and has been told in later years that authority to issue such evidences of Federal indebtedness had been included in "instructions" Governor Gilpin had received at Washington shortly after his appointment. As to these "instructions" and of the circumstances under which they were said to have been given, the more explicit statement, that has been, to a considerable extent, accepted as a recital of facts, appears in the following extract from Hubert Howe Bancroft's *History of the Life of William Gilpin: a Character Study* (San Francisco, 1889), reprinted from that writer's *Chronicles of the Kings*:

"Immediately after the inauguration [of Mr. Lincoln], he [Gilpin, whom Bancroft says was in Washington at the time] was asked if he would accept an appointment as governor of Colorado, as he was considered the one indispensable man for the position. He immediately signified his willingness to do so.

"At the first cabinet meeting the matter was brought up, and Colonel Gilpin was nominated by Blair [Montgomery Blair, Postmaster-General] for the position. Cameron [Simon Cameron, Secretary of War] being present seconded the motion, whereupon the appointment was filled out, and unanimously confirmed by both houses. He immediately received his commission from Secretary Seward [William H., the Secretary of State]. The time was indeed critical; the nation was on the ragged edge of dissolution, and every member of the administration was worn out with anxiety. Cameron had agreed to furnish Governor Gilpin with instructions, but finally told him to write them out himself, and he, Cameron, would sign them. The day previous to his departure from Washington, Governor Gilpin was unable to see any cabinet member, and at 12 o'clock at night he took up his post in front of the White House, where he rightly surmised they were holding a consultation. Shortly afterward three persons came out and stood on the porch conversing. Governor Gilpin recognized and spoke to them. They were Cameron, Scott [General Winfield Scott] and Lincoln. He informed Mr. Lincoln that he had his commission in his pocket, and was ready to leave for Colorado. He further went on to say that it would be necessary for him to have money with which to pay expenses that must necessarily be incurred at the beginning. Said Mr. Lincoln: 'We have not a cent.



GOVERNOR BENJAMIN H. EATON

I have just negotiated a loan of fifty millions of dollars from the banks of New York, and have called a special session of Congress to meet on the 4th of July, to know if they will hang me for treason for this unconstitutional act. If you are driven to extremities you must do as I have done, issue drafts on your own responsibility.'

" 'What shall I do for soldiers?' asked Gilpin.

" 'If you need them, call them out as we have done, command them yourself, and send your pay-rolls to me, and I will see that they are paid,' said Cameron. 'We will give you the rank of command of brigadier-general.' Both Lincoln and Scott acquiesced in this arrangement. He then bade them farewell and left them. Early in April he arrived in Denver.'

"Governor Gilpin was obliged to follow Lincoln's plan of raising money for the United States. He drew what was necessary from the merchants of Denver, giving them therefor drafts upon the United States government. At the end of every thirty days a special messenger took them to Washington, where payment was at first refused; but finally a government agent was sent to Colorado, and all the indebtedness was paid. The total amount of drafts drawn and paid during the campaign was \$227,500, which covered all the expenses of the government."

The books in which the foregoing appears were published several years before Governor Gilpin's death, but it seems beyond belief that this preposterous tale, which is made up of wilful misstatements and gross errors, ever was sanctioned by him. He was not the only candidate for the Colorado appointment whose indorsements and fitness were considered by President Lincoln; appointments by the President of the United States are not moved and seconded in meetings of his cabinet—are not determined in the manner in which a ward caucus chooses a presiding officer; appointments by the President are not "confirmed by both houses" of Congress, but only by the Senate; as Governor of Colorado Territory, Gilpin would at that time have received "instructions", if any there were to be given him, through the Secretary of State, and not from the Secretary of War; the alleged-willingness of the Secretary of War to sign such "instructions" as Gilpin might "write out" for himself is bombastic nonsense: the asserted midnight-consultation in front of the White House is far outside the pale of probability; Mr. Lincoln had not at that time "negotiated a loan of fifty million dollars", nor of any other sum; his proclamation calling a special session of Congress, to begin on the 4th of the following July, was not issued until April 15th, nor was Congress disposed to hang the President; neither the President nor any other Federal executive officer ever has had power at will to "issue drafts" not authorized by law on the Federal Treasury upon his "own responsibility", nor to authorize or validate the issuance of such drafts, and therefore Mr. Lincoln most certainly did not tell Governor Gilpin to employ this unlawful as well as futile expedient should he be "driven to extremities". The transactions of the Federal Treasury Department then were conducted upon the same inflexible system that prevails at present: President Lincoln's first call for volunteers was not made until April 15th; the Governor of a Territory could not hold and exercise at the same time "the rank of command of a brigadier-general" in the Federal Army; Governor Gilpin did not arrive in Denver "early in April", but at the end of May; the drafts were not taken to Washington by a special messenger at the end of every thirty days, but reached the Federal Treasury through banks and by other financial channels, in the usual manner of dealing with such negotiable paper; not all the indebtedness represented by them was paid; their sum was, as I have mentioned heretofore, about \$375,000, but this total did not

cover "all the expenses of the government", nor had any part of it been applied to ordinary civil expenses, as the drafts were issued exclusively on account of the Governor's military preparations.

Returning to this subject in his *History of Nevada, Colorado, and Wyoming* (San Francisco, 1890), Bancroft, citing Gilpin as his authority in part, says (page 415):

"Gilpin, although appointed governor by President Lincoln, was without instructions and without money. Washington was threatened; there were a dozen cabinet meetings a day; and when the appointee begged for written orders he was told there was no time to attend to such matters, but to go and do as well as he knew how and the bills would be paid. His verbal instructions, taken in the vestibule of the white house, or in the portico, conferred broad powers. He was to see that the new territory was kept in the union. If soldiers were needed, he was to call them out and command them. He was loyal, he was a soldier, he would be quick to see the need of an appeal to arms; but was he a statesman, and might he not be too quick to discern a danger? These were questions the cabinet had no time to ask."

Upon another page (420) Bancroft goes on to say that "Governor Gilpin, relying upon the informal permission given him to do whatever he thought right and proper for the good of Colorado and the preservation of the government, had exceeded the powers ordinarily invested in a territorial executive"; and also that he "paid the Denver merchants for supplies by drafts on the treasury, which he had authority for drawing in the fully given word of the president and secretary of war".

I think it is apparent that Governor Gilpin was the originator of his financial expedient. Yet it was fortunate that his fertile mind conceived it and that he put it into practice. But the refusal of the Federal Treasury to honor his drafts placed him in a most harassing situation. When the first reports of the Treasury's action reached Colorado, apprehension was allayed for a short time by charging the trouble to a misunderstanding on the part of the disbursing officers at Washington, and by assurances that the drafts were valid and would be paid as soon as all the circumstances connected with their issuance could be brought to the attention of the Secretary of the Treasury. But when it became known that the Secretary had utterly repudiated them and that they were worthless as evidence of Federal indebtedness, the creditors broke out in wrathful clamor against the Governor and drove him to the point of distraction by their upbraidings. "As an old army officer, he was held to have known the Government's rigid financial methods, and it was principally because of his presumed knowledge of such matters that the people had unquestioningly accepted his irregular and illegal orders upon the National Treasury". In December, the worried Governor went to Washington to seek relief both for himself and the exasperated creditors, and where he put in several weeks in efforts to obtain an adjustment of his transactions and thereunder have his drafts recognized and paid. But his appeals fell upon deaf ears, and ere he set out on his return to Colorado he had learned that his successor as Governor of the Territory soon would be appointed. As the reader knows, John Evans succeeded him in the following April. It is extremely hard to reconcile Mr. Lincoln's removal of Governor Gilpin with the assertion that the President personally had authorized him, less than a year before, to resort to the financial ways and means that now were held to constitute sufficient reasons for his summary dismissal.

Nevertheless, the causes of Governor Gilpin's displacement did not per-

manently lessen the esteem in which he was generally held in the Territory or cast a cloud upon his official integrity. Even his most aggressive political rivals did not venture to attribute his discredited acts to dishonorable motives; and at large among the people of Colorado his exalted patriotism, unselfish zeal and purposes, and the immeasurable value of his services both to themselves and the Nation, were given a full measure of sympathetic appreciation.

Shortly after Gilpin's retirement, the Federal War Department, influenced by the brilliant achievements of the Colorado troops in New Mexico as well as by a sense of justice, made provisions for dealing with his war-debt. The creditors were required to present itemized and duly attested statements of their claims, whether for supplies or for personal services, the drafts still being refused recognition as valid evidence of Federal indebtedness. A large majority of the claimants were prepared to submit such statements, and having done so, presently received full payments. But as some of the drafts, especially those for the smaller sums, had passed into hands other than those to whom they had been issued, the holders of most of these could neither recover from the original payees nor obtain from them the necessary voucher, and therefore were left in the lurch.

After Colonel Canby had abandoned his "pursuit" of General Sibley and quartered his troops at Fort Craig, the Colorado volunteers who then formed a part of his force were kept practically inactive throughout a long and irksome period. Early in May (1862), having placed Colonel Chivington in charge of the southern part of New Mexico, with headquarters at Fort Craig, Canby, with all his Federal troops and most of the New Mexico volunteers who still were with him, retrograded to Santa Fé. Colonel Chivington remained in command at Fort Craig until July 4th, when, in compliance with his request, he was relieved of that duty and directed to march his regiment back to Fort Union, leaving Fort Craig and southern New Mexico under the charge of Colonel Marshall S. Howe, of the Third United States Cavalry. When he reached Santa Fé, Chivington asked and was given leave of absence; and after his regiment arrived at Fort Union the Colonel proceeded to Washington for the purpose of obtaining authority for reorganizing the First Colorado as a regiment of cavalry and to have it transferred to one of the great armies in the East, preferably the Army of the Potomac. But, to his great disappointment, and that of his men also, his mission was successful only in part and indirectly. Under date of October 13th, the War Department directed that either the First or the Second of Colorado's infantry regiments—the formation of the latter having been undertaken earlier in that year—should be made a cavalry organization, for service in the West; the choice to rest with Governor Evans.

After the first Colorado had returned to Fort Union, several detachments from it were stationed here and there between that post and the Arkansas River, on most monotonous duty. Having decided that the First should be favored under the orders from Washington, Governor Evans, on November 1st, directed Chivington to rendezvous the regiment at Colorado City and there strengthen and reorganize it in accordance with the War Department's instructions. In consequence of delay in procuring horses, arms, and other equipment, the change was not effected until the fore part of January (1863). The transformed organization, having a full comple-

ment of men, now marched to Denver, which it entered on January 13th, nearly a year since its departure to the rescue of the Southwest, and was given an enthusiastic reception by the people of that city.

Colorado having been made a separate military district, with headquarters at Denver, Colonel Chivington was placed in command of the new division, and so continued until the close of 1864. After the reorganization of the First Regiment, it was again broken into detachments, some of these being stationed in camps within the Territory and others in the western parts of Kansas and Nebraska on the western sections of the routes of travel from and to the Missouri River, as guards against Indian depredations. Although the companies never again were united in full regimental form, but remained more or less scattered until mustered out, they rendered in the meantime hard and highly-important service in the earlier stages of the bloody, fiery and prolonged campaign that the Indians of the plains began in May, 1864, with the vain hope of checking the occupation of their country by the white people. No military duty that civilized men ever have had to perform was more wearisome, more harassing, and less "glorious", than that of warfare against our western Indians. But it fell to the lot of the First Colorado to conclude its career in such service.

The Second Regiment of Colorado Volunteer Infantry was formed, though incompletely, during the summer of 1862. In February, of that year, Jesse H. Leavenworth, who had been a Pike's Peaker in 1860-61, and was a son of Colonel Henry Leavenworth, of the old Regular Army, for whom Fort Leavenworth was named, was commissioned by the War Department to organize the regiment, of which he was to be Colonel. He arrived at Denver on May 12th, bringing with him, manned by a detachment of Wisconsin volunteers, a six-gun battery, that had been used by the Confederates at Fort Donelson.

The two old companies, commanded by Captains Dodd and Ford, and which still were in New Mexico, were to constitute the nucleus of the Second Regiment, as had been intended when they were recruited. It appears to have been understood at Washington and also by Colonel Leavenworth at the time he was commissioned that there were two other unattached Colorado companies available for the regiment, as authority had been given for enlisting only six new companies to complete the organization. There were, early in the spring of that year, two other companies of Colorado volunteers, but these consisted of the six-months men—the home guards—organized in the autumn of 1861, and whose term of service expired in the following April. Recruiting offices were opened in the larger towns soon after Leavenworth's arrival, regimental headquarters were established at Camp Weld, near Denver, and early in the next month, E. D. Boyd, William H. Green, L. D. Rowell, J. Nelson Smith, S. W. Wagoner, and George West were appointed captains of the embryotic six new companies. But enlistments were made slowly, as the Territory's population had been seriously reduced since the previous summer. However, about two-thirds of the full quota of each of the new companies was filled by the coming of August; and meanwhile, Captain Theodore H. Dodd had been appointed Lieutenant-Colonel of the regiment, and Captain James H. Ford its Major.

About the middle of August, Colonel Leavenworth was ordered to move the incomplete organization to Fort Lyon. Leaving Camp Weld on August 22d, the regiment made the march in seven days, arriving at Lyon on the

29th. A small body of men who had been enlisted in southern Colorado for a proposed regiment of New Mexico volunteers now were sent to Fort Lyon and assigned to the new companies of the Second Colorado, which remained at that post inactive until April, 1863, and where it was joined by the two veteran companies which had served in New Mexico under Dodd and Ford.

Notwithstanding the scarcity of men in the Territory in 1862, the enlistment of two more organizations of Colorado volunteers for service in the Union Army was undertaken in that year. One of these was to be the Third Regiment of Colorado Volunteer Infantry, of which General William Larimer, a Denver pioneer, was to be Colonel; and the other a field-battery of artillery, to be commanded by William D. McLain, also a pioneer of Denver. Authority for organizing the two was received from Washington early in the autumn of that year, and recruiting for both was begun shortly afterward. The failure to obtain a full quota for the Second Regiment should have suggested the difficulties which resulted in preventing the Third from becoming a complete regiment. Nevertheless, the organization of the latter was prosecuted with a zeal worthy of better results, and by the 1st of December the number of enrolled men was sufficient to warrant their assembling at Camp Weld, which now was renamed "Camp Elbert", in honor of Samuel H. Elbert, then the Secretary of the Territory. Samuel S. Curtis, another of Denver's pioneers, who had been appointed Lieutenant-Colonel of the regiment, took command of Camp Elbert and put the recruits through a course of drilling. General Larimer, realizing the improbability of procuring enough men for a regiment, now severed his connection with the organization, with the understanding that in the event of its completion Major Ford, of the Second Colorado, should be its Colonel, and Jesse L. Pritchard its major. But enlistments suddenly fell nearly to zero, and by the 1st of February (1863) their total number was sufficient only for five companies, which were mustered in on that day. These were Company A, under Captain R. R. Harbour; B, Captain E. W. Kingsbury; C, Captain E. P. Elmer; D, Captain G. W. Morton; and E, Captain Thomas Moses, Jr. Efforts to recruit the regiment to full strength now had been given up.

An order had been received late in January for the Third, or such part of it as had been organized, to proceed immediately to Fort Leavenworth. But as there was delay in the matter of obtaining supplies and equipment, as well as of means for transporting them, it was not until March 3d that the five companies, under command of Lieutenant-Colonel Curtis, set out down the Platte River upon their long tramp to Fort Leavenworth, which they reached on April 23d.

Captain McLain relatively had been more successful in recruiting for his First Colorado Battery, and in the meantime had completed a four-gun organization, with George S. Eayre as First Lieutenant, and H. W. Baldwin as Second. His guns were four field-pieces that had been sent from New Mexico to Denver by Colonel Canby. When fully equipped, "McLain's Battery", as it became commonly and proudly known, presented a fine appearance, and its men proved themselves to be most courageous and efficient soldiers. The battery, also, was sent to Fort Leavenworth, and later bore a conspicuously gallant part in military operations in Missouri and eastern Kansas.

About the 1st of April (1863), an order was received by Colonel Leavenworth to send six companies of the Second Colorado to Fort Leaven-

worth; the other companies of the regiment to remain at Fort Lyon for the present. The six, under the command of Lieutenant-Colonel Dodd, left Fort Lyon on the 6th of that month, and marched eastward by way of the Arkansas River trails. Upon his arrival at Fort Riley, 135 miles to the west of Fort Leavenworth, Dodd received orders to proceed with his command directly to Fort Scott, in the southeastern part of Kansas. Here, the Colorado troops, together with a detachment of the Seventh Kansas Volunteer Cavalry (colored), were made the escort of a long wagon-train laden with supplies and bound for Fort Gibson, in the Indian Territory. On the way thither the escort encountered and routed, on July 1st, at Cabin Creek, a small stream in the Indian Territory, a Confederate force of much greater strength, a part of which consisted of more or less civilized Indians of the Territory, and the whole commanded by Standwatie, a Confederate Cherokee Indian leader who held a Brigadier-General's commission. In this engagement, the first in which they had participated, the Colorado volunteers bore the leading part. The Union loss in killed and wounded was twenty-three, while Standwatie left behind him forty dead and seven prisoners.

At Fort Gibson, the Colorado companies were attached to the command of General James G. Blunt, who was preparing to move against General Douglass H. Cooper, who was advancing up the northward side of the Arkansas River with an army of about 6,000 men, consisting of Confederate Indians and odds and ends of white troops. Leaving Fort Gibson with a force of about 2,500 men and twelve light pieces of field-artillery, General Blunt encountered and attacked Cooper's army on the 17th of July, at Honey Springs, near the mouth of Elk Creek, an affluent of the Arkansas, in the Indian Territory. In a furious onslaught, though of but two hours' duration, and that became known as the "Battle of Honey Springs", the Union troops completely routed and scattered Cooper's motley army of white and red warriors, that so greatly outnumbered them. Cooper left 150 of his men dead on the field, and had about 400 wounded, while nearly 100 others had been made prisoners. The Confederate commander also was compelled to destroy his wagon-train and supplies to keep them from falling into Blunt's hands. The Union loss was seventeen killed and some sixty wounded. About five weeks later, General Blunt advanced upon the town and military post of Fort Smith, Arkansas, which he entered and occupied on September 1st.

Meanwhile, Colonel Leavenworth had been placed in command of the various detachments of troops, including those of his regiment which had been left at Fort Lyon, that now were guarding the Arkansas River trails against Confederate raiders and Indian pillaging-expeditions, with his headquarters at Fort Larned, on Pawnee Creek and about ten miles westward of the site of the present town of Larned, Kansas. In September, Leavenworth was suspended, and in the next month dismissed from the service, for the "offense" of having enlisted, without specific authority to do so, a company of volunteers to serve as artillerymen. Although he was quickly reinstated, he was so greatly incensed by the affair that he resigned his commission; whereupon Lieutenant-Colonel Dodd was appointed to succeed him as Colonel of the Second Colorado. However, though through no fault of his, Colonel Dodd did not long hold the position.

The five companies taken to Fort Leavenworth in the spring of 1863 by Lieutenant-Colonel Curtis, and which historically as well as officially con-

stituted Colorado's Third Regiment of Volunteer Infantry, had remained at that post only a few days. On April 26th, they were sent to St. Louis, upon a river steamer, and on their arrival there went to Sulphur Springs, some twenty miles to the southward of that city. In the last half of May, they were ordered to Pilot Knob, Missouri, where they became a part of General Schofield's Army of the Frontier, although they had come from far beyond the frontier. In June, they were directed to proceed to Vicksburg, but as the order was revoked before they had had time to get under way, they continued under Schofield's command throughout that summer and autumn.

On October 11th (1863), an order was issued directing that Colorado's Second and Third regiments of infantry be consolidated and reorganized into a regiment of cavalry, which was to be designated as the Second Regiment of Colorado Volunteer Cavalry. As we have seen, six companies of the Second had been with General Blunt, and the others had been on duty at stations and posts on the Arkansas River, while the Third was attached to General Schofield's Army of the Frontier. The order also directed that the two should be assembled at Benton Barracks (at St. Louis), and there be transformed into a new fighting-organization—change that was most heartily welcomed by almost every man in both. But circumstances prevented an immediate compliance with the instructions, and therefore it was not until near the end of the autumn that the regiments were brought together at St. Louis, the Arkansas River detachments of the Second being accompanied by about 150 Colorado volunteer recruits.

The reorganization was effected in the following January, with Major James H. Ford, of the old Second, as Colonel; Colonel Theodore H. Dodd of the old Second, as Lieutenant-Colonel; Samuel S. Curtis, Lieutenant-Colonel of the old Third, Captain J. Nelson Smith, of the old Second, and Jesse L. Pritchard, as Majors. The companies of the Second became Companies A, B, C, D, E, F, and G of the new regiment; and those of the Third, Companies H, I, K, L, and M. So the Second and Third regiments of Colorado Volunteer Infantry passed out of existence.

The Second Colorado Volunteer Cavalry, which moved to Kansas City late in that January, began its career with 1,240 men—the full quota—and was finely mounted and equipped. Colonel Ford was assigned, with headquarters at Kansas City, to the command of a sub-district covering three western border-counties—Jackson, in which Kansas City is situated, and Cass and Bates, lying, in their order, next south of Jackson. Ford's force, consisting of his own regiment, a Missouri regiment of infantry, a body of Missouri militia, and two companies of Minnesota infantry, was stationed in detachments at various places in his district, and until the end of the summer of 1864 actively was engaged in worrying and dangerous service against daring bands of Confederate guerrillas that infested that section of Missouri, and who were almost as ruthless as wild Indians in their ravaging forays. "Words can not do justice to the horrors of such warfare; nor can the tragedies which cruelty, violence, rapine, and the worst passions of civil war evoked in partisan warfare, ever be fully known."

When, in September, 1864, General Sterling Price, at the head of a Confederate army of about 15,000 veteran troops, moved from Arkansas into Missouri, bent upon the conquest and occupation of the last-named State, the Second Colorado Cavalry and McLain's Colorado Battery were among the forces assembled to meet him, the two Colorado organizations being at

tached to the command of General Blunt. On September 27th, Price attacked a small body of Federal troops stationed at Pilot Knob and compelled them to evacuate the town and retreat to St. Louis. Following these, Price advanced to the outer defenses of that city, where he received a severe repulse and was diverted from his boasted purpose to capture the city and thence carry the war into Illinois. He now marched his army westward, to Jefferson City, and after having been defeated there in an attack upon its entrenched defenders moved on up the Missouri, on the south side of the river, with an avowed intention to occupy Kansas City and then to take Fort Leavenworth.

General S. R. Curtis, in command of the Department of Kansas and the Indian Territory, with headquarters at Fort Leavenworth, in the meantime had collected at Kansas City and Independence all available troops within reach to check Price's advance, and had sent General Blunt with his small force to Lexington, Missouri. Price's army appeared before Lexington on October 20th, and immediately attacked Blunt, who held the Confederates off until nightfall. In the night of the 20th, Blunt withdrew from Lexington and fell back to the Little Blue River, about six miles east of Independence, where, on the 21st, he was engaged by nearly the whole of Price's army. The Second Colorado Cavalry and McLain's Battery were in the thick of the desperate fighting on that day and suffered serious losses, and among the killed was Major J. Nelson Smith, of the cavalry. Blunt again fell back, to the Big Blue River, a few miles west of Independence, where he joined the main body of General Curtis' army, which had been reinforced by General Alfred Pleasanton's cavalry, that had followed Price from St. Louis and passed his army by a detour. Here, on October 22d, another severe battle was fought, with disastrous results for the Confederates.

General Price now was in a perilous situation, from which he sought to extricate his army and find a way back to Arkansas. Having, in the night of October 22d, gained a position near Westport, he was attacked furiously by the Union troops on the next day, and by sundown was in full and badly demoralized retreat southward, with his antagonists in hot pursuit. In the night of October 24th-25th, he was beset in Linn County, Kansas, at the Marais des Cygnes River, by Curtis' cavalry and artillery, which included the Second Colorado and McLain's Battery, and driven from his encampment. On the 25th, the Confederates made a stand at Mine Creek, several miles farther south, but were again driven on. In the continued pursuit the Union troops reached Fort Scott in the forenoon of the 27th, and after a short halt there the chase was resumed. The retreating Confederates were brought to bay, for the last time, at the Missouri village of Newtonia, southeast of Fort Scott. Here, on October 28th, a battle, that was next to the most severe of the campaign, was fought, in which the Second Colorado had forty-two men killed in the saddle. Price's army was driven from the field, and was pursued by the Second Colorado and other cavalry organizations to the Arkansas River, where the long chase was abandoned. When Price crossed that river, the number of his troops had been reduced by killed, wounded, missing, prisoners, and desertions, to less than 5,000. He had destroyed a large part of his equipment to prevent its capture by Curtis, and had left the line of his retreat from Westport littered with the *debris* of a routed army.

In the last month of 1864, the Colorado volunteers who had been with

Generals Blunt and Curtis were sent to Fort Riley, Kansas, there to be re-fitted for service against the plains Indians. Most of them were engaged in duty here and there on the Santa Fé Trail, in Kansas, until the following spring, when they became a part of a large force organized for a proposed great campaign that was intended to subdue the Indians then ranging south of the Arkansas River—a programme that was countermanded from Washington after all preparations for it had been made. The two Colorado organizations were continued in service on the central plains until into the autumn of that year, when they were mustered out.

In the winter of 1864-65, six companies of emergency-volunteers were enlisted in Colorado for a term of three months, for duty against the Indians, and collectively were designated as the Third Regiment of Colorado Volunteer Cavalry. Some further account of this organization, as well as an outline of the service it rendered, appears in the next chapter.

Although Colorado escaped invasion by any duly organized Confederate force, the Territory was raided in the summer of 1864 by an independent mounted band of Texan guerrillas under the leadership of James Reynolds, who had been a miner in our South Park in 1859-60. With twenty-one subordinates, Reynolds entered southeastern Colorado late in July, after having captured and plundered two wagon-trains on the Santa Fé Trail, in northeastern New Mexico. Avoiding Fort Lyon, the bandits hastened up the Arkansas River, left Pueblo and Cañon City unmolested, and proceeded into the South Park, where they began to plunder ranchmen, miners, stage-coaches, and mails. Reynolds had boasted that before leaving the Territory he would treat Denver City as Quantrell had dealt with the town of Lawrence, Kansas. But his band soon was beset and dispersed by determined parties of Colorado citizens. The first of these to encounter the outlaws, killed one of them and wounded Reynolds, who, with the other survivors, fled from their camp on foot, leaving their horses and plunder in the hands of their assailants. A day or two later, one of the Texans was taken prisoner, and shortly afterward Reynolds and five more of his men were captured near Cañon City. The others succeeded in getting out of the Territory and were heard of no more. The prisoners having been taken to Denver, later were started from that city for Fort Lyon, under a strong military guard. The troops presently returned to Denver and reported that all the captives had been killed by them, near the head of Cherry Creek, while attempting to escape. But, as the members of the escort were significantly reticent as to the particulars of the affair, it was generally believed that the Texans had been deliberately executed, either by shooting or by lynching with ropes.

It has been rather generally understood that the total of the contributions of soldiers to the United States military forces during the Civil War by the State of Delaware was greater, in proportion to population, than the number provided by any other division of the Union. The lack of accurate data as to the population of each of the States and Territories during the war-period makes impossible a precise determination of this question. But the evidence at hand strongly supports the belief that that distinction should be accorded to the Territory of Colorado. Delaware's population in 1860 was a little above 112,000, and was increasing. The total of that State's enrollment of Union troops, including drafted men, was 13,670, but as 1,386 paid commutation and so avoided service, the net total was 12,284,

which aggregate, when reduced to a three-years' standard, was the equivalent of 10,322. As I have stated in the preceding chapter, Colorado's population other than Indians at the time the Territory's First Regiment was organized certainly was considerably less than 25,000, and which diminished at a serious rate until about the close of the war. The total of the Colorado enlistments—every man a volunteer—was 4,903, which number, when reduced to a three-years' standard, was equal to 3,697. Therefore, with a population that averaged during the war-time less than one-fifth that of Delaware, the number of Colorado's volunteers was more than one-third that of the Delaware troops.

Turning to some of the western divisions of the Union, we find that the number of Union troops from "Bleeding Kansas", that had in 1860 a population of 107,000, but which increased rapidly in the war-period, was, reduced to three-years' standard, 18,706. It is probable that the average of the Kansas population in the war-years was not far from 175,000. Nebraska, having in 1860 a population of nearly 29,000, but which, as in the case of Kansas, increased greatly during the war, contributed to the Union Army 3,157 volunteers, or, when reduced to a three-years' standard, 2,175. New Mexico's population in 1860 was 83,000, and the number of Union enlistments in that Territory was 6,561, or 4,432 when the total is reduced to a three-years' standard. Utah sent no military organization to the aid of the Union cause.

The fatalities among the Colorado volunteers aggregated far above the average of those in the other Union organizations, and are to be classified in the exceptionally high ratios of mortality. They consisted in the main of killed in action and of later deaths from wounds received in battle, the percentage of loss by disease being remarkably low. It is further to be said that the Colorado troops were uncommonly willing, fearless and enthusiastic soldiers. Nearly all, by experience in the West, had become familiar with the use of arms and the presence of danger before their enlistment; and most of them had been engaged, since coming to the Pike's Peak country, in occupations that had inured them to hardships and privations greater than those that were usually imposed by service in the Union armies.

CHAPTER XIX.

UPRISING OF THE PLAINS INDIANS IN THE SIXTIES.—THEIR PURPOSES AND PLANS.—PREPARATIONS FOR WAR BY THE TRIBES.—APPREHENSION IN COLORADO.—INDIAN CONFEDERATION.—PLUNDERING DEPREDATIONS.—BEGINNING OF OPEN HOSTILITIES.—PANIC IN NORTHERN COLORADO TOWNS.—ORGANIZATION OF MILITIA ORDERED.—FIRST MASSACRE OF SETTLERS.—ATROCITIES COMMITTED UPON THE OVERLAND TRAILS.—GOVERNOR EVANS' "LETTERS OF MARQUE AND REPRISAL".—THREATENED DESCENT OF INDIANS UPON THE COLORADO TOWNS.—CONFERENCE AT DENVER WITH INDIAN CHIEFTAINS.—GENERAL CURTIS' INSTRUCTIONS.—ORGANIZATION OF THE THIRD REGIMENT OF COLORADO CAVALRY.—CONDITIONS UPON THE OVERLAND ROUTES OF TRAVEL.—CHEYENNE AND ARAPAHOE INDIANS RETURN TO THEIR RESERVATION IN COLORADO AND ESTABLISH A VILLAGE ON SAND CREEK.—WERE THEY NOW FRIENDLY OR HOSTILE?—COLONEL CHIVINGTON'S PREPARATIONS FOR AN "EXAMPLE" OF HIS METHOD OF FIGHTING INDIANS.—HIS ATTACK UPON THE VILLAGE ON SAND CREEK.—ITS FRIGHTFUL RESULTS.—SLAUGHTER OF INDIAN MEN, WOMEN, AND CHILDREN.—BARBAROUS TREATMENT OF THE BODIES OF THE DEAD.—"WAS IT A BATTLE OR A MASSACRE?"—PUBLIC OPINION OF THE AFFAIR.—ITS DIREFUL CONSEQUENCES.—PLAINS INDIANS INFURIATED TO THE HIGHEST PITCH.—DEVASTATION OF THE CENTRAL PLAINS.—COMMUNICATIONS WITH COLORADO CUT OFF.—MARTIAL LAW IN THE TERRITORY.—COLORADO THREATENED BY A HORDE OF INDIANS.—COMMUNICATIONS REOPENED BY GENERAL DODGE.—PROGRESS OF THE LONG WAR.—ARAPAHOES AND SOUTHERN CHEYENNES REPUDIATE THEIR PEACE TREATY OF 1867 AND RETURN TO THE WAR-PATH.—THEIR BLOODY DEPREDATIONS IN COLORADO IN THE SUMMER OF 1868.—FORSYTH'S SCOUTS.—THEIR HEROIC CONFLICT AT BEECHER'S ISLAND.—LAST FORAYS OF PLAINS INDIANS UPON COLORADO'S SOIL.

The protracted war with the Indians of the plains, that began late in the spring of 1864, was in its origin a direct consequence of the conflict between the northern and the southern States of the Union. In the first year of that momentous struggle, some of the chieftains of these Indians commenced to urge confederated action by all the tribes of the plains in an effort to rescue their country from the clutches of the white people. They argued that the great war which the divided whites were waging upon each other threw open to the red men of the West an opportunity to overwhelm their common enemies, to recover their invaded lands, and to restore the old conditions. They were confident that this could be accomplished by the united strength and valor of the warriors of the plains-country. The plans and purposes of these leaders were the same as those which were attempted to be consummated by "King Philip" in New England; by Pontiac and Tecumseh in the eastern parts of the Mississippi Valley: and as those that had been, as I have remarked in an earlier chapter of this volume, proposed in the Far West in the later years of the fur-trading period.

Some of the tribes favored confederation and the immediate inauguration of an exterminating war, but others either hesitated or were more or less disinclined to join hands with men of their race that hitherto had been their hereditary foes. But the greater obstacle in the way of such

an uprising in that year was the unpreparedness of the tribes for a general war against the white men, the number of firearms and quantity of ammunition they possessed being far from sufficient to warrant them in entering upon the projected campaign; and it was rather difficult for them to obtain these necessities for fighting at other than hand-to-hand. But the proposition to wrest their country from the grasp of the white men presently took deep root in the mind of nearly all the roving Indians of the Great Plains, and in the next year they began quietly to prepare for an effort to put it into effect.

As I have already told, our pioneers had no serious trouble with the Indians of the plains during the years in which they established themselves in the Pike's Peak country. The local tribes of the lowland—Arapahoe and southern Cheyenne—were friendly, and remained so until after they had been confined, in 1861, to a reservation that was of small area in comparison with the wide range over which they had formerly roamed. But the Utes, of the mountains, were sullen and apprehensive from the day on which our pioneer miners first entered the recesses of the Rockies, although they did not, as a tribe, arise against them. The prospectors who lost their lives at Ute hands in the early years were covertly slain by petty bands acting upon their own responsibility rather than upon that of their people as a whole—which perhaps may seem to be a distinction without much practical difference. The Utes usually proved to be less efficient in warfare than the Indians of the plains.

By the end of the spring of 1862, it became apparent to observant white men that the tribes of the central plains—the Arapahoe and Cheyenne as well as the others—stealthily were making preparations for war, as they were devoting much of their time and all their shrewdness to the acquisition of rifles, muskets, and ammunition, by begging and stealing, or by purchase when they had the means with which to buy. Their braves were willing to trade a horse for almost anything in the form of a serviceable gun, depending on replacing the animal by the theft of another. But all professed friendship for the whites, and were exceedingly careful not to betray their purposes by thoughtless speech. When questioned as to the reason why they were so anxious to obtain such weapons, their usual answer was that they needed them for killing buffalo, which the coming and going of so many white men had made so wary that they could not easily be approached within effective arrow-shot.

Although the plains Indians had not, since they began these preparations, committed any act more overt than that of stealing a horse occasionally, Governor Evans, realizing the danger by which Colorado was threatened, in a message to the Legislative Assembly, in July, of that year, most earnestly recommended legislation providing for the enrollment and organization of militia; and with which the Assembly promptly complied. As the situation had become more menacing by the beginning of autumn, Secretary Elbert, then Acting Governor, early in September issued a proclamation warning the people of the impending peril and urging them to organize militia companies under the lately-enacted law. But no effective action was taken in consequence of the legislation and proclamation during that year, as it was a general belief that the Second Regiment of Colorado Volunteer Infantry, which now had been organized, though incompletely, could attend

to the case of any Indians who might attempt to start trouble in the Territory.

In the next month, several Kansas stations on the stage route along the Arkansas River were beset by roving bands of Indians, who took possession of all the horses and mules they could find and plundered the establishments of such other property that would be of use to them in their contemplated outbreak, but refrained from killing any of the men in charge of the stations. These open acts of hostility, the like of which were repeated at various times upon that route before the next spring, probably were prompted by news of the Sioux inroads upon the settlers in northwestern Iowa, southwestern Minnesota, and southeastern Dakota, that were begun in the summer of that year (1862), and in which nearly a thousand white men, women, and children lost their lives, under circumstances of the most horrible barbarity. The first open depredations within the boundaries of Colorado occurred late in March, 1863, when the settlers in the vicinity of the mouth of the Cache a la Poudre River were raided by Cheyennes and Kiowas, who appropriated every horse and gun upon which they could lay their hands, but did nothing worse, as they and their allies were not yet ready to begin killing. Such raids were continued along the South Platte and Platte rivers throughout the later months of that year, the stage company, freighters, and others suffering alike from this systematic plundering. The Indians also obtained, though by peaceable methods, many firearms and horses from Mexican citizens of New Mexico and from depraved Americans; and it was charged, probably with truth, that they received encouragement and material aid from representatives of the Confederate Government.

During that year (1863), Governor Evans repeatedly communicated to the authorities at Washington abundant evidence of an approaching uprising by the Indians of the central plains, and which doubtless would become general, even though the tribes should not formally confederate for the purposes of the war. He urged immediate action for protecting the white people who were in exposed situations and for guarding the routes of travel across the plains. But at that juncture the Federal Government was unable to render aid sufficient to the emergency. With one of his reports, the Governor transmitted to Washington a statement made to him early in November by a trader of wide acquaintance among the plains Indians. This man had informed Colorado's Executive that the outbreak certainly would be inaugurated in the following spring, by which time all the Indian warriors of the plains would be well armed and fully equipped for war. Of their plans and preparations for the uprising, the trader said:

"I heard them discuss the matter often, and the few who opposed it were forced to be quiet, and were really in danger of the loss of their lives. I saw the principal chiefs [Sioux, Cheyenne, Arapahoe, Kiowa, Comanche and Apache] pledge to each other that they would shake hands with, and be friendly to, the whites until they procured ammunition and guns, so as to be ready when they strike. Plundering to get means has already commenced, and the plan is to commence the war at several points in the sparse settlements early in the spring. They wanted me to join them in the war, saying they would take a great many white women and children, and get a heap of property, blankets, etc."

Earlier in that year, the Utes, excited by the rumors of an approaching war to be made by the tribes of the plains upon the white people, became restless, and some bands of their younger men set out to foray the

outskirts of the more exposed mining-districts, in which they succeeded in doing some mischief. Major Wynkoop, with a detachment from the First Regiment of Colorado Cavalry, was sent to suppress these pillagers and to make a show of force to their people. Although the prowlers led Wynkoop a long chase through western and northwestern Colorado, his expedition seems to have been effective, as the Utes took no serious part in the red uprising in the next year.

During the winter of 1863-64 and well into the following spring, the Indians of the central plains continued their plundering depredations in preparation for open warfare, which was soon to begin. They had established a general rendezvous on the Smoky Hill fork of the Republican River, in central-western Kansas, and from which they despatched raiding parties. A fair example of the exploits of these was the act of a band of Cheyennes, who cut out and drove off 175 head of cattle from a herd that was grazing in charge of cowboys in a locality in the Bijou Basin not more than forty miles southeast of Denver. A detachment from the First Colorado Cavalry was sent in pursuit of the red "rustlers", but the Indians kept all but a few head of the captured stock.

About the middle of March, Governor Evans had urged the United States Indian Agent who dealt with the Kiowas, Arapahoes, and Cheyennes to "use all diligence at any moderate expense to ascertain the true character of the threatened Indian hostilities", and suggested that he employ spies who could gain the confidence of the Indians and learn their intentions and plans. But the Indians soon made such espionage unnecessary, for the storm broke forth in the beginning of the following summer over the plains between the settled parts of Colorado and the frontier of Kansas and Nebraska.

Detachments from the First Colorado Cavalry, which was the only military organization then stationed in the Territory, had come into collision with the Cheyennes and some of their allies on the eve of the general outbreak. Late in April, one hundred men of that regiment, with two howitzers, under orders to reconnoitre the country around the head of the Smoky Hill and then proceed to Fort Larned, encountered within ten miles of that post nearly four hundred mounted Cheyennes, who attacked the command at sight: and, contrary to Indian practice, some of them charged upon the two pieces of artillery, which were blazing away at them. But after twenty-five or thirty of them had been killed and many others wounded by the deadly fire of the Colorado veterans, the remainder of the body scattered and made off over the hills. About the same time a detachment of twenty men of the First Colorado overtook, at Fremont's Orchard, at the mouth of Kiowa Creek, in what is now our Morgan County, a band of about fifty Cheyennes, who were running-off a drove of horses. The Indians' response to a demand for the surrender of the animals was a volley that killed one and wounded three of the cavalrymen. As the detachment had not expected a fight, and was armed only with sabres and revolvers, the Indians succeeded in escaping, taking the horses with them. This affair was followed immediately by the despatch from Denver down the South Platte River of a full company of the First Colorado, well led, armed and equipped, with instructions to attack either thieving or openly-hostile Indians wherever they might be found. At Cedar Cañon, the cañon of Cedar Creek, a northerly branch of Horsetail Creek, an affluent of the South Platte, in our Logan

County, the troops surprised an encampment of some three hundred Indians and instantly opened fire upon them. After a severe fight, the Indians among whom doubtless were the fifty who had been engaged in the affair at Fremont's Orchard, were routed, with a loss of thirty-eight killed and probably twice that number wounded, while but one of the cavalymen was killed. The encampment was destroyed and upward of one hundred horses captured by the Colorado volunteers, who then returned to Denver.

Governor Evans, who grasped the full significance of the situation, now asked General S. R. Curtis, in command, at Fort Leavenworth, of the Department of Kansas and the Indian Territory, to send to Colorado some of the troops under his control, but in reply to this request that officer said he had none that could be spared. The Governor then turned to the Federal commander in New Mexico, from whom he received a like response.

In the first week in June, a frantic panic was caused in Denver, and which spread quickly to Golden, Boulder City and other communities in the neighborhood, by a false report to the effect that large bodies of Indians were approaching from the East and the North with the intention openly to begin their part in the war by a general massacre in northern Colorado and by sacking and burning the towns. Governor Evans directed that all business houses be closed at six and one-half o'clock in the evenings, and ordered the able-bodied citizens then to assemble for daily drill in the manual of arms, thus placing the people practically under martial law. Some defenses were thrown up in the outskirts of Denver, most of the women and children were gathered in the central section of the city, and a cordon of pickets was stationed around it. But the falsity of the report presently became certainly known, whereupon the excitement subsided almost as speedily as it had arisen.

The people of Colorado were at that time nearly destitute of organized troops within reach in a sudden emergency. The First Colorado Cavalry, excepting one company, which was left in camp near Denver, had complied a few days before with an order directing it to proceed to Fort Lyon, for service along the Arkansas River, below that post.

Governor Evans now resorted to an attempt to form, under the Territorial law enacted in 1862, a force of militia. Having appointed Henry M. Teller to be Major-General of the militia, the Governor, on June 11th, instructed him at once to hasten the organization and preparation of such a body of citizen-soldiery for immediate active duty. To stimulate and encourage the enrollment of militia "to repeal the savage marauders", the Governor, by proclamation, gave assurance that all property taken from hostile Indians should become the personal property of the captors: and went on to say that "any man who kills a hostile Indian is a patriot: but there are Indians who are friendly, and to kill one of these will involve us in greater difficulties, and therefore it is important to fight only the hostile, and no one has been or will be restrained from this". He added to this an expression of his belief that, inasmuch as the Territorial Treasury had neither a war-fund nor means of providing one, the Federal Government would pay the militiamen for the period in which they should be on duty. At the same time, the Governor besought authority from Washington for enlisting a regiment of volunteers, to be mustered into the service of the United States for one hundred days. But authority for such an organization was not given until later in that year.

Almost before the ink on the Governor's proclamation was dry, the people of Denver heard of the massacre of a man named Hungate, together with his wife and two children, nearly within sight of the city. Hungate's ranch, on Running Creek, some twenty-five miles to the east of Denver, had been attacked by a band of Indians led by the chieftain, Roman Nose, of the northern Cheyennes. The four victims were scalped and their bodies shockingly mutilated otherwise, while the ranch-buildings were burned and the livestock and other property of use to the Indians taken away. Roman Nose always had expressed the greatest and most enduring friendship for the white people, and but a few months before had assured Governor Evans that he still was and should continue to be their friend. The mangled bodies of the members of the Hungate family were taken to Denver, where their condition horrified all who saw them: and the ferocious cruelty of Indian warfare was brought home to the dwellers in that city.

Governor Evans, renewing his efforts to provide for the public defense, proclaimed martial law. An order for that part of the First Colorado Cavalry that was marching to Fort Lyon to turn back was obtained, and under changed plans for the militia organizations these were to become home guards.

The situation now passed from bad to worse. The routes of travel from and to the Missouri River were beset by bands of hostile Indians through which the stage-coaches ran a bloody gauntlet. Many of these were chased for miles and peppered with bullets: and in several instances during that summer coaches were captured and their drivers and passengers who were still living were put to death by the most agonizing methods that savage ingenuity could devise. Travel upon the route by way of the Arkansas River was possible only under a guard, but even with such protection it was hazardous. Freighters ventured forth only in large caravans: yet in this order many of them were killed, and the provisions and other supplies contained in their wagons became the booty of the Indians. The latter frequently moved with extraordinary celerity. A band that had been working havoc somewhere along the Arkansas in the morning of yesterday might appear at the Platte River in the evening of tomorrow. While the conditions in the summer of that year had, as I have remarked above, gone from bad to worse, those that prevailed through the following autumn were still more harrowing.

Early in August, Governor Evans sent messages to several comparatively small bodies of Indians whom he understood to be inclined to be peaceable, directing them to proceed to the military post nearest them, where they should be protected; but at the same time warned them that unrelenting warfare was to be waged against all Indians who should continue to be hostile. However, this was not of much avail, as no great number of those thus addressed heeded either the advice or the warning.

The Governor now issued another proclamation to the people of his Territory, and in which he authorized "all citizens of Colorado, whether organized or individually, to go in pursuit of the hostiles and to kill and destroy them wherever found, and to capture and hold to their private use all the [Indian] property they can take". But those who should act under this letter of marque and reprisal were to avoid molesting such Indians as were disposed to be friendly. Several parties of "privateers"

went forth thus to slay and confiscate, but as their achievements upon the one hand and their rewards upon the other were not encouraging, the Governor's expedient worked no check against Indian depredations.

While Colorado constituted a Military Division, commanded by Colonel J. M. Chivington, who was subordinate to General S. R. Curtis, at Fort Leavenworth, the people of the Territory were left to provide means for their protection and defense by and among themselves. The burden of directing these fell upon the Governor, although General Curtis retained and exercised authority to give orders as to military operations. The conditions in Missouri, which was overrun by guerrillas, and soon was to be invaded by General Sterling Price, with an army of veteran Confederates and also with an intention to establish his headquarters in the city of St. Louis, left no Federal troops available at that time for reënforcing those scattered in detachments along the routes of travel across the plains, or for duty in defense of the Colorado communities.

In the night of August 20th, information was received at Denver that a large body of Indians had gathered at a rendezvous in a locality on Beaver Creek, near its confluence with the South Platte River, in what is now the northeastern part of our Logan County, for the purpose of raiding the settled country along the base of the foot-hills as far as Pueblo. They were to operate in several divisions, move rapidly, but avoid a pitched battle. This report proved to be true. The Indians had prepared for the movement with great secrecy, and expected to strike before the whites could gain any knowledge of their strength and plans. Couriers were despatched from Denver to the other threatened communities, and Colonel Chivington mobilized at that city all the soldiery material at his command, a part of which was sent down the river as a demonstration of fearlessness and readiness. Among this force was a company of home-guard militia that had been formed in Denver during that summer by Samuel E. Browne, Attorney-General of the Territory, under General Henry M. Teller's supervision, and which appears to have been the first organization of the kind that went forth into the field. The Indians, whose scouts had observed the movement, now seeing that it was evident that the white people had been forewarned of their intended raids, abandoned their projected campaign and again turned their attention to the stage-coaches and wagon-trains upon the Platte River Trail. The old trader, Elbridge Gerry, who then was living upon a ranch, at which there was a way-station for travel on the Platte River Trail about twenty miles below the mouth of the Cache a la Poudre, had received the warning in the evening of August 19th from two Cheyenne friends. On the next day he rode to Denver and reported the information that had been given him.

Early in September, the Indian Agent at Fort Lyon received from an Indian encampment in the upper Smoky Hill country, and in which there were some six hundred warriors, a proposition written by a half-breed and signed "Black Kettle and Other Chiefs", to make peace, provided that the agreement should include the Kiowas, Comanches, Arapahoes, Apaches, and Sioux. It is not to be supposed that the Kettle (a southern Cheyenne chieftain) and the "Other Chiefs" had been authorized thus to speak and act for the tribes they professed to represent, as a general peace would at that time have been commonly regarded as too important a matter to be proposed in this off-hand fashion. The chiefs also offered to surrender some

white women and children whom their raiders had taken in their forays, in exchange for Indian prisoners they pretended to believe were held at Denver. One white woman, a Mrs. Snyder, who had been captured a few weeks before, had killed herself rather than further to endure the horrible conditions of her captivity. However, an arrangement was effected for the Kettle and his associates, who turned out to be the White Antelope (the Kettle's brother) and Bull Bear (another Cheyenne), and Neva and Bosse, of Left Hand's band of Arapahoes, to go to Denver for a peace-talk. The Indians delivered to the commandant of Fort Lyon four of their prisoners, and promised soon to give up three more, who were held in another Indian encampment on the Smoky Hill. It appears that the two Indian leaders, Black Kettle and Left Hand, were opposed to the war, had not personally taken part in the depredations, and had endeavored to restrain their warriors from engaging in them.

Proceeding to Denver, under an escort, the five chieftains held a council with Governor Evans, Colonel Chivington and some others of the white leaders, on the 28th of September, but out of which came nothing more than talk. Black Kettle harangued the gathering, reciting the grievances of his people. He made no denial of the participation by some of them in recent slaughters and burnings, and was unable to guarantee better conduct by these in the future; but endeavored to excuse his tribe as a whole by insisting that such acts were the work of the impetuous and uncontrollable young men, who would not heed the counsels of their elders. He was followed by Bull Bear, who was more boastful than penitent, but asserted that the concerted purpose to drive all the white people out of the western country had originated with the Sioux. Governor Evans, in his response, expressed to the Indians his great desire and hope for peace, yet warned them of the certain consequences of continued warfare on their part. After the Governor had spoken, Colonel Chivington addressed the chieftains, and in the course of his remarks said that while he was "not a big war-chief" all the soldiers in the country were at his command, and that his "rule of fighting white men or Indians is to fight them until they lay down their arms and submit to military authority". The council then broke up, without having agreed upon any new policy for the future, and the chiefs were escorted back to Fort Lyon. A few days later, Governor Evans set out for Washington, leaving the direction of the Territory's public affairs to Acting Governor Elbert and Colonel Chivington, and did not return to Colorado until the following April.

Having been informed of the arrangements for this conference, General Curtis, on the day on which it was held, telegraphed to Colonel Chivington his protest, which was equivalent to an order, against any concessions to the Indians. "I shall require bad Indians delivered up", said he; "restoration of equal numbers of stock, also hostages to secure. I want no peace till Indians suffer more. . . . I fear agents of Interior Department [the Indian Agents] will be ready to make presents too soon. It is better to chastise before giving anything but a little tobacco to talk over. No peace must be made without my direction". Governor Evans, in a report of the meeting that he sent to the Indian Agent at Fort Lyon, said that his principal purpose in consenting to it was to learn, if possible, something of the intentions and temper of the Indians, and not with a view of entering into a treaty with them or of offering them any terms.

In the forepart of the preceding month, the Governor had received authority from Washington to enlist and organize, to be mustered into the United States service, the regiment of volunteers for one hundred days that he had proposed in the previous June. The Territorial militia-law had not worked well, chiefly because it provided neither pay for the men nor compensation for their horses; and also had proved defective in other respects. At the time of the conference with Black Kettle and his fellow-chieftains, the new organization, which was designated as the Third Regiment of Colorado Volunteer Cavalry, with George L. Shoup, formerly a Lieutenant in the First Colorado (and who, in long-after years became a United States Senator from the State of Idaho), as Colonel, had been recruited nearly to two-thirds of the full strength of a cavalry regiment, and the men were in camp in Denver impatiently waiting for horses, arms and other equipment. These were not received until the beginning of October, and by the time the regiment was made ready for the field about one-half of the term of enlistment had expired. The earlier of the recruits, with such arms as could be provided for them, had formed a part of the force that was sent out from Denver when the settled parts of the Territory were threatened by the Indians who had gathered on Beaver Creek, in the last half of August. Some companies of the Third were employed in October in protecting the Platte River Trail against the Indians, but about the end of that month the regiment moved from Denver and went into camp in a locality on Bijou Creek, near the head of that stream, where it remained until after the middle of November.

The conditions along the routes to the Missouri River having become, early in that autumn, much worse than they had been during the summer, white people who now travelled either course took their lives in their hands, even though they were under the protection of a strong military escort. Civilian travel by way of the Arkansas River trails practically had ceased by the end of September. While the Indians had not, as yet, done much mischief to the overland telegraph line, they had greatly interrupted communications with the East by mail. Whenever they captured a stage-coach they rifled the mail-bags of whatever was of value in Indian eyes and scattered the remainder of the contents over the prairie, there to be blown far and wide by the winds. Such provisions and other supplies as were not produced in Colorado now were running low everywhere in the Territory, and their prices had advanced in corresponding ratio.

There was in that year a considerable movement of emigrants to the Pacific Coast, and those who had made an early start from the Missouri crossed the danger-zone before the depredations of the Indians became flagrant. But a large body of them was detained at the river through the summer, waiting for the storm to "blow over." However, at the beginning of the autumn, a number of these, who thought they could not afford longer to delay, decided to run the hazards of the journey, most of them traveling in companies larger than usual. It was only in exceptional instances that any of these organizations succeeded in getting through without loss, and some of the weaker were annihilated; but the total of those slain never was ascertained. According to an estimate made early in November, about fifty white persons, mainly wayfarers on the routes to the Missouri River, had been killed in Colorado by Indians since the preceding spring.

After Black Kettle and his fellow-chieftains returned to Fort Lyon

from the conference at Denver, they proceeded to their encampment in the Smoky Hill country, where they reported the barren outcome of their mission. About the middle of October, Left Hand's band of Arapahoes removed to Fort Lyon, where they turned over to the commandant of the post some twenty horses and mules, and a small assortment of arms, that constituted a part of the plunder their young men had acquired in recent months. After having rationed them for a week or ten days, the commandant told them that he could do so no longer, and advised them to establish themselves in camp somewhere on Sand Creek, a northern affluent of the Arkansas, and which discharges into that river at a point about eight miles below Lamar, the present county seat of our Prowers County. Heeding the suggestion, the Arapahoes now went into a locality on Sand Creek, nearly forty miles northeasterly from Fort Lyon, where they set up their lodges. Shortly afterward, they were joined there by Black Kettle's band of Cheyennes, the two groups forming a village having a population of six or seven hundred men, women, and children, and which was upon the reservation that had been set apart for the Arapahoes and southern Cheyennes several years before. Whether these bands believed they were acting in accordance with the advice and warning that Governor Evans had proclaimed early in the preceding August to Indians inclined to be or to become friendly, and therefore also believed that they were now under the protection of the garrison of Fort Lyon, or whether this return to the reservation was intended to be temporary, as well as preparatory to a renewal of active hostilities by their "young men," never has been certainly determined. But the trend of probability is that they had assumed that whatever of wrong for which they were responsible now was to be condoned, and that they were to be regarded by the whites as peaceable Indians. But however this may have been, their movement to Sand Creek was followed by the most direful tragedy that ever occurred upon Colorado's soil, or elsewhere during that period of warfare between white men and red.

Appearing to have been governed by General Curtis' announced policy to make no peace "till Indians suffer more," Colonel Chivington had, since the fruitless conference at Denver, resolved to give some effect to that policy, and to this end began late in October to make ready for striking the blow before the rigors of winter had set in. Having completed his preparations by the middle of November (1864), he took personal command of an expedition he had organized to attack the Cheyennes and Arapahoes who were encamped on Sand Creek, and thus give to all hostile Indians an example of his method of making war upon them, which he had outlined in his brief address to Black Kettle and the other chiefs at the Denver meeting.

With the greater part of Colonel Shoup's Third Colorado Cavalry and several companies of the First Colorado Cavalry, together with two pieces of artillery, Colonel Chivington left the Third's encampment, near the head of Bijou Creek, and started for Fort Lyon. Proceeding rapidly, but with the utmost caution, the command marched southward to the Arkansas and thence down the left bank of that river to the fort, which was reached in the morning of November 28th. Chivington appears to have refrained from imparting his destination and purpose to any person in Colorado—not even to Colonel Shoup; he had arrested and detained every one whom he encountered while on the march, lest information of his force and move-

ments might reach the Indians through some of these; and his coming to Fort Lyon was wholly without the knowledge of its commandant. Immediately upon his arrival there, Chivington placed a cordon of his troops around the fort, with orders to prevent the exit from it of any of its inmates, lest someone of its hangers-on, suspecting the object of his expedition, should make off to the Indian village and warn its people.

In the afternoon of that day, with a reinforcement of 125 men and two small pieces of artillery from the fort, Chivington set out upon his march to the Arapahoe-Cheyenne encampment, which he surprised at sunrise in the next morning, when many of the Indians still were in their lodges. Before leaving Fort Lyon, he had revealed to his officers and men his intention to make an example of the Indians on Sand Creek, and also told them that they were not to take any prisoners—that they were not to spare any red human being in the village.

Fire, both of musketry and artillery, instantly was opened upon the dismayed occupants of the encampment, and a detachment of First Colorado men cut off and stampeded the Indians' horses, without which the latter were placed at a great disadvantage in making resistance. But in their surprise the fighting-men of the village did not at once attempt a defense, while some made none thereafter, and most of them at the moment appeared to believe the attack to be a mistake on the part of the white men—that the latter had supposed them to be a red-handed war-party. A sickening slaughter now ensued, with upward of one hundred of the warriors fighting desperately for their lives and those of their dependents, but as they were overwhelmingly outnumbered, they could not check the onslaught. White Antelope and several of his men were killed as they were running toward the troops with their hands high upraised, in token of peaceable intentions, and shouting "Stop!" "Stop!"; and Left Hand was shot down as he stood with arms folded and loudly declaring that he would not fight men for whom he had always had a feeling of strong friendship. Terrified children and some of the women huddled in groups, which became the targets for many guns, and these helpless creatures were despatched in heaps. The men literally obeyed Chivington's orders to take no prisoners, and there is no evidence that any of their officers interposed an attempt to modify, in behalf of women and children, the revolting inhumanity of the instructions. Major Anthony stated afterward that "when the encampment was first observed, the troops, believing that here lay the perpetrators of all the atrocities they had known or read of, the capture of innocent women and children, and the terrible fates visited upon them; the constant interruptions of communication with the East, and the horrors which had been related by eye-witnesses, they plunged at once into the fray with the single purpose of destroying these fiends." Wounded Indians were killed as they lay, regardless of sex or of age. Scalping and mutilating the bodies of the dead next followed. Some of the soldiers, after their return from the campaign, said that all were scalped, and that many of the bodies were slashed or cut into pieces in the most shocking manner, but others were of the belief that such savagery was exceptional and not the rule. However, the burden of testimony is to the effect that the slaughter was attended by some circumstances almost as horrible as any practised by the Indians in their most atrocious warfare. For example, in the Federal investigation of the hideous affair, instituted in the following winter, the old trader, John S.

Smith, who had been a member of the town companies that founded the city of Denver, and was in the village when it was attacked, testified to this in these words: "I saw bodies worse mutilated than any I ever saw before; the women cut all to pieces; scalped; their brains knocked out; children two or three months old: all ages lying there, from sucking infants up to warriors."

Before noonday, Black Kettle, with not far from two hundred of his people, the great majority of whom were men, succeeded in breaking away and escaping, although they were followed and peppered for some miles by detachments of their ruthless enemies. A number of smaller parties attempted to do likewise, but most of these were pursued until every member of them was shot down. The bloody work was continued up to about two o'clock in the afternoon, when it seemed that there was nothing more within sight to kill. But it was said that some women and children were found secreted in lodges when the troops were ransacking the encampment and were led out and pitilessly dispatched.

No one took the trouble definitely to learn the number of Indians who were killed in this tragic affair; but, as we shall see presently, the estimates as to the extent of the slaughter varied greatly. Beside the dead upon the village-ground, the lines of pursuit of the parties that broke away and fled from it were strewn with other bodies. It seems to have been the general impression among Chivington's troops that about two-thirds of the victims were women and children. This is quite probable; for, in such an assault as this upon a savage community, consisting of both sexes, of all ages, between those of infants in arms and those that had extended into far-advanced years, the greater part of the number of the assailed who succeeded in escaping death certainly would be men.

But the purposes of the attack had not been accomplished without casualties among Colonel Chivington's men, of whom ten were killed upon the field, and thirty-eight wounded. Four of the wounded died from their injuries a few days later, at Fort Lyon.

After having sent his dead and wounded to that post with Major Anthony's part of the command, Colonel Chivington with his original force moved to the Arkansas River, below Fort Lyon, to hunt for a band of Arapahoes and Cheyennes that was understood to be under the leadership of Little Raven, an Arapahoe chieftain of unusual attainments on the better side, and who, before the outbreak, was noted for his friendliness and kindness to white men. After a few days of failure by marching and scouting to find Little Raven and his adherents, who were supposed to be lodged near the river and in the vicinity of the Kansas border, Colonel Chivington abandoned this enterprise. As his supplies were insufficient to a prolonged outing, and also as the term of the Third Regiment's enlistment had about reached its limit, he now turned the course of his march and made his way back to Denver.

When the particulars of the slaughter at Sand Creek became known, an outcry of mingled horror and indignation was raised throughout the northern States. Chivington and his men were denounced as fiends incarnate, as more savage than the worst of the Indians, as reproaches to civilization and disgraces to mankind. This was due in part to the belief that the leaders of these Indians had been cowed in the conference at Denver, and had, after their return therefrom to their people, resolved to quit the

war-path, return to their reservation, and thereafter remain peaceable; that they had accepted and followed the advice of Governor Evans, given some three months before, and voluntarily had placed themselves under his protection and that of the United States military forces in Colorado in accordance therewith; and that the "Battle" of Sand Creek therefore was "a cold-blooded massacre of helpless people, whose condition was that of prisoners." The feeling was intensified by Chivington's exaggeration of the number of Indians his command had killed in the tragedy. Early in January (1865), Congress, by a resolution, directed that a thorough investigation be made of "the late attack by Colorado volunteers, under Colonel Chivington, on a village of the Cheyenne tribe of Indians, near Fort Lyon."

In his official report of the expedition, written at Denver on December 16th, "in the flush of his victory," Chivington said that there were "between five and six hundred Indians left dead upon the field"; and added that "it may, perhaps, be unnecessary to state that I captured no prisoners." In testimony taken during the investigation, when the affair had taken on an aspect different from that of the "victory on the glorious field of Sand Creek," there were wide variations of opinion as to the total of the Indian "losses," which meant "killed," as there was none to be reckoned as "wounded." One witness said he counted upon the village-ground "four hundred and fifty warriors dead," to say nothing of old men and women and children. The lower estimate was that of Major Anthony, who said he supposed that "about one hundred and twenty-five Indians were killed." The probability is that the facts are to be represented by figures lying somewhere between 250 and 300.

As to the number of warriors who "returned our fire," estimates again are at variance, as they range from seventy-five to one hundred and twenty-five. Trader Smith, who, as I have said, was in the village at the time, testified that the total of its fighting-men was "about two hundred." But, as I have heretofore mentioned, not all the warriors took part in the resistance.

The uncertainties of "the Sand Creek affair" also extend to the population of the village when it was attacked, and to the strength of Chivington's command. In his report, to which I have referred above, that officer said the encampment contained "between 900 and 1,000 Indians." Trader Smith testified that the village consisted of "one hundred families of Cheyennes, and six or eight lodges of Arapahoes—in all, about five hundred men, women and children." Major Anthony stated that the band of Arapahoes which he had, about the end of October, advised to locate on Sand Creek, numbered "six hundred and fifty-two" men, women and children, but testified that when the attack was made there were "about one hundred and thirty lodges of Indians, mostly Cheyennes," in the encampment. If both Smith and Anthony were anywhere near correctness in their statements, these imply that most of the Arapahoes had gone elsewhere before the coming of Chivington. However, it seems most probable that on the day of the attack there were at least six hundred red people in the village, and that a majority of them were Cheyennes. Chivington said in his report, of December 16th, that when he struck these Indians "there were in my command about 500 men of the Third Regiment, and about 250 of the First Colorado: Anthony's battalion of the First Colorado, and Lieutenant

Wilson's battalion of the First Colorado; in all, about 1,000 men." Major Anthony testified that Chivington's force, when it arrived at Fort Lyon, "consisted of a portion of the First Regiment of Colorado Cavalry, and about six hundred men of the Third Colorado Cavalry; numbering in all in the neighborhood of seven hundred men, with two pieces of artillery"; and added that he "joined them with one hundred and twenty-five men and two pieces of artillery."

One of the specifications in the denunciations of Chivington charged him with having ignored a white flag that had been raised by Black Kettle a few minutes before fire was opened upon the encampment. Trader Smith testified as follows as to the presence of the white flag:

"As soon as the troops were discovered the Indians commenced flocking to the lodge of the head chief [Black Kettle] in the part of the camp where I was, when he ran up his flag. He had had a large American flag presented to him some years before, and under this he had likewise a small white flag."

In the report of the Congressional Committee it is said that an American flag had been presented to Black Kettle some years before by Indian Commissioner W. H. Greenwood, together with a small white flag, and that Greenwood had told the chief to run these up, with the American flag above the white, in case he should meet American troops. Some other witnesses in the investigation said that they had noticed such flags flying over a lodge, but most of Chivington's men denied that they were to be seen. However, assuming the affirmative testimony to be true, and admitting, as a matter of course, that the white flag should have been respected, for the moment, at least, some of Black Kettle's braves recently had been engaged in cruel warfare against the starred and striped banner under which he now sought to protect them.

Whatever may have been the motives of these Indians in going to Sand Creek, and whatever the sentiments and purposes of the community as a whole may have been at the time of the attack, their wrecked village yielded proof, in the form of scalps, that some of its warriors lately had taken part in one or more murderous forays. The Surgeon of the Third Regiment testified that a soldier brought to him, after the last shot had been fired, "five or six white scalps," which the man had found in a lodge. "One or two of these white scalps," said the Surgeon, "I think could not have been taken from the head more than ten days. The skin of the flesh attached to the hair was quite moist. I examined these scalps closely, my attention having been called to the fact of their having been recently taken." The Assistant Surgeon of the same regiment testified that he saw "many white scalps" in the village. "I have no idea how many," he deposed, "though there were a great many. There were some that looked as if they might have been taken some time; others not so long, and one that I saw, not over five to eight days old at farthest." The clerk of the Third Regiment's Lieutenant-Colonel stated that he had seen a large number of scalps of white men, women, and children taken from a bundle of buffalo robes that lay in a lodge. "I saw one scalp in particular," said he, "that had been entirely cut off the head [that is, all the hair-bearing skin of the skull] of a white female, all the hair being with it. The hair was a beautiful auburn, and very long and thick. There were two holes in the front part of the scalp" [evidence that the victim had been killed by a rifle ball]. Many other men of Chivington's command, upon their return to Denver,

told of the plentitude of white scalps in the village. Beside these gruesome objects, there was found a great number and variety of things that had been plundered from white people, but of which more or less may have been spoils taken in depredations before these Indians came to Sand Creek. It was said by those who approved Chivington's ghastly "example," that Indians known by all to be actively hostile had visited the Sand Creek encampment lately and shared with its people a lot of plunder they had captured in a recent swoop upon a wagon-train. The troops carried away, as trophies, many of the Indians' belongings—buffalo robes, blankets, arms, trinkets, and whatever else struck their fancy.

If the Sand Creek Indians really were not friendly, and meditated an early resumption of warfare on their part, they were singularly lacking in wariness. If they still had been in communication and affiliation with bands of their race that were killing and burning, they should have known that this soon would come to the ears of the whites; and if they were preparing to rejoin these, it becomes difficult to account for their ignorance of the movements of Chivington's force, which so plainly meant trouble for Indians somewhere. Under such circumstances as then existed, it would seem, were they bent upon going forth again, that they would have been more cautious upon the one hand and more watchful upon the other. No great number of effective weapons nor any large quantity of ammunition were found among the wreckage of their village; nearly all of such equipment as they had possessed appearing to have been in the hands of those of their number who had succeeded in escaping.

Colonel Chivington and his troops were given a hearty welcome by the citizens of Denver upon their return to that city, and the work of their campaign was a for a time generally approved by the people of the Territory. The common feeling was one of great relief, as it was believed that the "moral effect" of the severe punishment that had been inflicted upon the Cheyennes and the Arapahoes at Sand Creek certainly would deter the rest of the Indians of the central plains from attempting a concerted descent upon the Colorado communities, and which, with all the horrors that usually attended such an inroad, had appeared inevitable. Therefore, "the Sand Creek affair" for a while was regarded only as an important conflict by which the redhanded and merciless Indians had been given a lesson they should not forget, and Chivington and his men were hailed by the great majority as deliverers of the people from an impending peril. The Territory's Third Legislative Assembly, as a body, joined in the expressions of approbation. In a joint resolution, that was approved by Acting Governor Elbert on February 26, 1865, the Assembly resolved—

"That the present commandant of the District of Colorado, Col. J. M. Chivington, has discharged the important duties devolving upon him as commandant of this District, ably and skillfully, and that the thanks of the people residing within this District are due him for the same.

"That the thanks of this Legislative Assembly are hereby tendered to Colonel Chivington for the able and patriotic manner in which he has discharged his duties as commandant of this District, and that the thanks of this Legislative body are also tendered to the Colorado troops for their zeal in supporting the civil officers of this Territory, and maintaining the honor of the National Flag.

"That a copy of these resolutions be sent to Col. J. M. Chivington, commanding this District, with the request that the same be read to his command, and that the Secretary of the Territory be requested to forward a copy of the same to Col. J. H. Ford, to be read in like manner, and also that a copy be furnished to the different newspapers of the Territory for publication."

The conclusions reached by the Congressional Committee on the Conduct of the War after its investigation of the "Battle of Sand Creek" were widely at variance with the prevailing views and sentiments of the Colorado people and those of their Assembly. This committee, which did not make its report until the following May, after reciting at length its understanding of the circumstances that culminated in that tragedy, and dwelling upon the revolting particulars of the attack, declared that the deeds committed under Chivington's orders "were such, it is to be hoped, as never before disgraced the acts of men claiming to be civilized"; that the bodies of the slain Indians afforded "evidence of the fiendish malignity and cruelty of the officers who had so sedulously and carefully plotted the massacre, and of the soldiers who had so faithfully acted out the spirit of these officers"; that "it is difficult to believe that beings in the form of men, and disgracing the uniform of United States soldiers and officers, could commit or countenance the commission of such acts of cruelty and barbarity as are detailed in the testimony"; and that—

"As to Colonel Chivington, your committee can hardly find fitting terms to describe his conduct. Wearing the uniform of the United States, which should be the emblem of justice and humanity; holding the important position of commander of a military district, and therefore having the honor of the government to that extent in his keeping, he deliberately planned and executed a foul and dastardly massacre which would have disgraced the veriest savage among those who were the victims of his cruelty. Having full knowledge of their friendly character, having fancied himself instrumental to some extent in placing them in their position of fancied security, he took advantage of their inapprehension and defenseless condition to gratify the worst passions that ever cursed the heart of man. It is thought by some that desire for political preferment prompted him to this cowardly act; that he supposed that by pandering to the inflamed passions of an excited population he could recommend himself to their regard and consideration. Others think it was to avoid being sent where there was more of danger and hard service to be performed; that he was willing to get up a show of hostility on the part of the Indians by committing himself acts which savages themselves would never premeditate. Whatever may have been his motive, it is to be hoped that the authority of this government will never again be disgraced by acts such as he and those acting with him have been guilty of committing. . . . The truth is that he surprised and murdered, in cold blood, the unsuspecting men, women and children on Sand Creek, who had every reason to believe they were under the protection of the United States authorities, and then returned to Denver and boasted of the brave deeds he and the men under his command had performed. . . .

"In conclusion, your committee are of the opinion that for the purpose of vindicating the cause of justice and upholding the honor of the nation, prompt and energetic measures should at once be taken to remove from office those who have thus disgraced the government by whom they are employed, and to punish, as their crimes deserve, those who have been guilty of these brutal and cowardly acts."

By midsummer of 1865, a reaction of public sentiment in Colorado concerning "the Sand Creek affair" had set in, and which was cultivated by some partisan leaders for political effect. The feeling between those who now denounced the "battle" as a wanton massacre and condemned all who had been engaged in it, and those who held it to have been justified and defended Chivington and his men against having such a stigma placed upon them, became personal and of intense bitterness. It affected business relations and invaded the circles of social intercourse; and in the Statehood movement of that year it became a political question. Most intense partisan animosities now were engendered, and the matter became a leading issue. The Republicans placed in their platform a plank strongly condemning all

who assailed those who were responsible for Sand Creek; but, not content with this, the more extreme of Colonel Chivington's defenders held a convention and nominated a Sand Creek ticket for State officers upon a Sand Creek platform.

At no time did Colonel Chivington attempt to evade or lessen his responsibility for "the Sand Creek affair." When he returned to Denver at the end of the campaign he asserted his belief, and in which some of his officers coincided, that it had saved Colorado from a devastating invasion by a horde of the plains Indians, and that it would cause all the hostile tribes now to sue for peace. He also expressed his conviction that Indians, to be fought successfully, must be dealt with harshly; and that one crushing, merciless blow, sparing neither age, sex nor condition, would prove to be the more merciful method of warfare upon them, after all; that such were the only methods that Indians could and would understand and heed, and that in the end his way of fighting them would save not only hundreds or thousands of white people from frightful forms of death, but would be less destructive of Indian life, if that were worth considering, than any other.

However, Colonel Chivington's responsibility for the tragedy caused him to be regarded with extreme aversion by more and more of the people of Colorado, as time went on, and clouded all the after-years of his life. Sand Creek also was a persistent factor among the circumstances that limited the political career of Governor Evans to his term as Chief Executive of the Territory, although he was in no manner directly answerable for it. As I have already said, he went from Denver to Washington early in October (1864) and did not return to Colorado until the following April. It is most probable that he had had not an inkling of Colonel Chivington's intention to make an opportunity for putting into practice his theory of warfare against Indians.

But Colonel Chivington's "example" at Sand Creek had no such effect upon the Indians as that which he had anticipated. News of the tragedy was spread among them with remarkable swiftness, and infuriated them to the highest pitch. All the roving tribes of the plains were drawn together more closely than ever before, and, bent upon extreme vengeance, their warriors sallied forth as hornets swarm out to attack the disturber of their nest. Before the end of December they were in full possession of the central plains from the eastern border of the Colorado settlements to the edge of the more thickly peopled parts of Kansas and Nebraska; had made the routes of travel between the Missouri River and the mountains trails of blood and fire, and every detachment of troops that had been guarding them was penned within its stockade and dared not venture out. Many of the stage-stations had been destroyed, their keepers killed, and the stage-company's livestock driven off; more than one hundred miles of the overland telegraph line had been wrecked, and from beyond the parts of Kansas and Nebraska mentioned above all communications with the East now were cut off. The uprising was becoming the most formidable ever made by the American Indians.

The conditions in Colorado were those of a panic. The store of provisions, which, already depleted, now ran lower and their prices rose higher and higher as they dwindled, while the winter had developed into one of great severity. The Third Regiment of Colorado Cavalry, the principal service of which had been rendered in the Sand Creek campaign, hav-

ing been mustered out, Acting Governor Elbert, late in December, issued a call for six companies of mounted volunteers to meet the emergency, each to consist of sixty men, and the organization to be commanded by Colonel Shoup, formerly of the Third Cavalry. But the bitter denunciations of "the Sand Creek affair" in the East was one of the causes that deterred men from volunteering again to fight Indians. Responses to Elbert's call were slow, and it appeared that failure was to attend this attempt to organize a force for self-defense.

On January 4th (1865), Colonel Thomas Moonlight, of the Eleventh Regiment of Kansas Volunteer Cavalry, succeeded Chivington in command of the District of Colorado. The Legislative Assembly then being in session, Colonel Moonlight recommended that the Territorial militia-law be so amended as to provide pay, bounties, and compensate for horses for Territorial volunteers. A bill to that effect was introduced into the Assembly, but notwithstanding the reasonableness of its provisions the Assembly haggled over for nearly two weeks, without having come to an agreement. Colonel Moonlight now proclaimed martial law in the Territory, and which was to continue in force until the volunteers called for were enlisted and organized. All business and occupations except that of dealing in the diminishing supply of necessities, were suspended. So the mines were closed and every other industry stopped.

Governor Elbert now made a new requisition, which called for seven companies instead of six, apportioned as follows: Arapahoe County, two companies; Gilpin, two; Jefferson, one; Clear Creek, one; the seventh to be furnished jointly by Boulder, Weld, and Larimer Counties. Colonel Moonlight's drastic methods soon produced the desired results. As it was known that a lack of volunteers would be made up by a draft, the quotas were enrolled within a month, and placed under the command of Samuel E. Browne, who had led forth a company of militia in the previous summer.

In the meantime the Indians had devastated the highway between Denver and Julesburg, and death and destruction now marked its course. The glare from burning buildings had been visible from Denver at night, and the tales told by refugees now agitated that community by day. The men, women, and children who had harbored in these stations and had not sought and found safety by timely flight had fallen victims to savage fury. Provisions had advanced to famine-prices in all the Colorado towns; flour, for example, was selling in Denver for fifty dollars per barrel. In a report sent from Denver on February 2d by Colonel Moonlight to General Grenville M. Dodge, who had, in the previous month, been placed in command of the Department of Missouri, which included the District of Colorado, with instructions to reopen lines of communication, the former said:

"The Indians are bold in the extreme. They have burned every ranch between Julesburg and Valley Station, and nearly all the property at latter place; driven off all stock, both public and private. These Indians are led by white men, and have complete control of all the country outside my district, so that I am hemmed in.

"The weather has been very severe here for nearly three weeks; the thermometer 30 degrees below zero, with quite a fall of snow on the ground. . . .

"Fort Lyon is being rapidly fortified, so that 200 men can defend it against 2,000 Indians. Militia companies are being organized all over the settled parts of the country (under penalty of being pressed into service) to defend the frontier settlements southward. . . . The Indians now are determined to make it a war of

extermination and nothing short of 5,000 men can make it extermination for them.

"Major Wynkoop informed me from Fort Lyon that many warriors were on the headwaters of the Smoky Hill and intended attacking all the settlements as well as Denver. Provisions, owing to the transportation lines being cut off, are at an exorbitant price, as well as labor and forage."

I shall not dwell at length upon the horrors and other events of that memorable winter, nor upon those that followed in that prolonged Indian War, which cost so heavily in life, property, and money. Under the vigorous policy of General Dodge, who was widely known and greatly respected by the Indians, telegraphic communications were restored before the middle of February, and by the end of that month the stage-line upon the Platte River Trail had resumed operations. After this had been accomplished and troops distributed along that course of travel, General Dodge turned his attention to the district of the Arkansas River; and, ere the coming of summer, the Santa Fe Trail had been made passable. Most of Colorado's emergency volunteers had been employed in guarding the stage route and telegraph line, between Denver and Julesburg, in which duty they served until near the end of April, when they returned to Denver and were disbanded.

The collapse of the Southern Confederacy enabled the Federal Government to transfer a large force of seasoned soldiers into the Far West for service against the Indians of the plains, and a number of stockaded military posts and smaller stations were built and garrisoned by these troops. But the policy now was to hold what had been recovered and to keep open the lines of communication, rather than to make aggressive war upon the tribes—the reverse of that under which General Dodge had proceeded. This afforded the Indians frequent opportunities to fall upon wagon-trains and stage-coaches, at points between the places where troops were stationed, and then make off over the rolling plains before pursuit could be attempted. Therefore, during the spring and summer of 1865, coaches, and the trains of freighters and emigrants, repeatedly were attacked and frequently with shocking results. There were instances in which all the passengers in a coach, all the men in a company of freighters, and all those in a party of emigrants, were killed; and the women and children of the latter whose lives were spared were carried into captivity.

Although the Indians had threatened, in the previous winter, presently to descend in large numbers upon the Colorado communities, they made no attempt to do so; nor was any town in the Territory ever attacked by them. Their preferred method of warfare was that of raiding the more exposed situations, moving quickly and striking here and there where the odds were likely to be in their favor. The celerity of their movements, the suddenness of their appearance and disappearance, made them most difficult enemies to overcome, even with a force greatly outnumbering them.

In October, 1865, most of the hostile tribes participated in a treaty of peace, one of the provisions of which excluded them from the State of Kansas, thus practically dividing their country and interposing between the two parts a broad belt of forbidden land. Professing not to have understood that the treaty contained such a provision, the tribes that had been parties to it repudiated the agreement and resumed hostilities in the next year. But it is not improbable that they had pretended to make peace

merely for the purpose of gaining time for recuperating and for replenishing their equipment for further fighting.

Their maraudings in the central parts of the plains country in 1866, while frequent, were not so serious as those of the previous year, and travel to and from Colorado was not nearly so dangerous. But in the spring of 1867 they again dashed out and began attacking coaches and wagon-trains, killing the keepers of stage-stations, burning the buildings, and appropriating the stage company's draft animals to their own uses. During the month of May, that part of the northern route between the plains and Salt Lake City was blockaded to ordinary travel; a stage-station between Denver and Julesburg was sacked and burned; three others next east of Julesburg likewise were destroyed and their inmates slain; and similar work of destruction of life and property had been done upon a long stretch of the Arkansas River Trail.

The Federal Government now had prepared for aggressive and more extensive military operations against all the hostile tribes. Three expeditions were organized for a coöperative movement; one, under General Hancock, was to proceed from the Missouri River across the plains south of the Platte; another, under General Augur, was to move west through the country north of that river; and the third, under General Terry, was to go into the Northwest.

But the subjection of the red men of the plains proved to be a long and costly task, that was beset by many troubles; and the Indians found time and opportunity, while evading the forces of Hancock and Augur, to continue their slaughters and pillagings along the courses of the Platte and Arkansas Rivers. However, in that year and in the next, they were pursued and hunted relentlessly by these and other troops, and compelled, tribe by tribe, to sue for peace, until, at the end of the spring of 1869, the last roving band was subdued, after five years of continuous warfare.

When the tracks of the Union Pacific and Kansas Pacific railways had been extended beyond the well-settled parts of the sections they traversed, it became necessary to assign detachments of troops to the duty of protecting the constructors of these roads as they progressed farther westward. The Indians realized the menace to their future that was signified by these iron trails, and at every chance to do so picked off one or more of the railway builders.

The Arapahoes and southern Cheyennes, having been closely pressed in the summer of 1867, in a treaty made with them in October, of that year, consented to give up their reservation in Colorado in exchange for one in the northern part of what is now the State of Oklahoma. Their removal thither, which was not effected without the application of some force, freed Colorado of plains Indians. In the summer of 1868, these tribes, having been joined by other hostile bands, again took to the war-path and entered upon a series of ravages in the western and southwestern parts of Kansas. About the middle of August, some of the Arapahoes and Cheyennes, whose leaders carried letters "to whom it may concern," that had been given them by the commissioners who had negotiated the treaty with their tribes in the previous year, certifying to the good standing to which the Arapahoes and Cheyennes had been restored by the treaty, entered eastern Colorado and began attacking isolated settlers. Several of the latter, located on Bijou Creek, and others on Kiowa Creek, in what is now our

Elbert County, including a woman and a young boy, were killed, while their buildings were burned and their livestock appropriated. In the meantime, a detachment from these pillagers, numbering seventy or eighty, who had been hovering around Colorado City, the citizens of which had been deceived by their "credentials" and apparent friendliness, had advanced, by way of the Ute Pass, into the South Park, to see if they might find some of their old enemies, the Utes. Having surprised a party of these, of which they killed three or four, the raiders returned to the foot-hills by another route. They now collected all the horses and other livestock they could gather in the neighborhood of Colorado City and made off with the animals over the plains. A few days later, another party, probably from the band that had wrought the bloody work on Bijou and Kiowa creeks, ransacked the valley of Monument Creek, killing several of its settlers and running off as much livestock as could be managed. Coincident with the depredations to the southward of Denver, a small group of hostile Indians of unknown identity made a dash into the southeastern part of Larimer County, where they killed three white men and seized a large drove of horses, with which they made their escape eastward.

These unexpected and startling events created a profound excitement in the settled parts of Colorado. As the Territory had no troops of its own, and was almost destitute of public arms and ammunition, appeals for Federal military assistance were telegraphed to General Sheridan, whose headquarters were at Fort Hays, in western Kansas. But Sheridan had no soldiers to spare, nor had the commandants of other military posts on the Kansas frontier. In the evening of August 28th, a volunteer company of fifty mounted men was formed in Denver, and before daybreak in the next morning, led by Major Jacob Downing, the organization set out for the head of Bijou Creek. A smaller company, formed at Colorado City, also had moved in the same direction. But the Indians, with their plunder, succeeded in making their way back into southwestern Kansas without an encounter with these pursuers, and never again returned to Colorado.

The indomitable Black Kettle, at the head of a large number of his Cheyennes in this renewal of hostilities, was killed, together with about one hundred of his followers, on the Washiti River, by General Custer's troops, late in November, of that year.

In the summer of 1868, Brevet-Colonel George A. Forsyth, of the Regular Army, and serving under General Sheridan, in western Kansas, organized a company of scouts, which consisted of fifty hardy and experienced men, for service against the Indians whom Sheridan was then fighting. Other officers of the company were First Lieutenant Frederick H. Beecher, of the Third Regiment of United States Infantry, and Acting Assistant Surgeon J. H. Mooers, unattached.

The evening of the 16th of the following September found Forsyth and his men encamped on the Arickaree, or Middle, Fork of the Republican River, and in a locality some fifteen miles to the southward of the present town of Wray, the county seat of Yuma County; and to which place they had followed a fresh trail which appeared to be that of a large body of Indians. Here, in the next morning, they were surprised by the appearance of nearly a thousand Indians—men, women, and children—upon the bluff-like opposite bank of the Arickaree, under the leadership of the northern Cheyenne chieftain, Roman Nose, who had been taking a very active

part in the Indian War since its beginning. A number of the warriors immediately attacked the scouts from rather a long range, whereupon Forsyth moved his men onto a small and low island of sand in the river, opposite their camping place, and on each side of which there was a stream about fifteen feet wide and six inches deep. After gaining the island some of the men protected themselves in shallow pits scooped out in the sand, and others behind the bodies of their horses, some of which presently went down under the Indians' fire.

The most remarkable conflict that ever occurred in warfare against American Indians now followed. The disparity of numbers between the assailants and the assailed, the desperate situation, heroic courage, physical fortitude and endurance of the latter, entitles their defense to a place in the category of the world's historic struggles in which small companies of men successfully resisted enemies who outnumbered them many fold, and finally triumphed over them. Forsyth and his scouts held their position until the forenoon of the ninth day thereafter; and in the meantime daily were targets for their besiegers. On the first day, when they drove back with their deadly rifles several charges made by a large company of the Indians fighting as cavalry, Forsyth received three severe wounds, which disabled him, but did not prevent him from directing and heartening his men throughout the siege; and toward the evening Lieutenant Beecher was killed. While Surgeon Mooers was examining Forsyth's wounds he was fatally shot, dying from the injury on the second day after. Also on the first day, Roman Nose was killed as he was leading one of the charges upon the island.

In the night of the first day, two of the scouts, Jack Stilwell and Pierre Trudeau, having volunteered to attempt to go to Fort Wallace for help, succeeded in leaving the island and eluding the Indians. On the second day, the latter tried to surprise Forsyth's men, but were discovered and driven back. They now suspended direct efforts to take the island, and settled down to starve out the beleaguered scouts. The condition to which the white men became reduced, especially those who were wounded, may be imagined. As their supplies ran lower, they began to eat the flesh of their horses that had been killed; and water could be obtained only by digging holes in the island sand. In this situation, growing worse day by day, they remained until the arrival of relief. To delay its putrefaction, flesh of the horses was buried in the sand, but presently this expedient failed. On the third day, the larger part of the savage host departed, but left behind a force sufficient to maintain the siege and to dispose of the suffering and starving white men when these no longer could resist. In the night of that day, two more of the scouts started upon an errand similar to that of Stilwell and Trudeau, lest the latter might have been prevented from reaching Fort Wallace. Throughout the days of misery for those of the men who were still alive upon the island, the remaining Indians watched it closely and used their rifles whenever they saw a chance to hit; and those upon whom they fired did likewise. In the morning of the ninth day, the besiegers again made an attempt to charge upon the refuge of the weakened scouts, but suddenly withdrew and disappeared. A few hours later, a troop of the Tenth United States Cavalry appeared and relieved Forsyth and his devoted band. Those who had gone to obtain succor had succeeded in reaching Fort Wallace.

Lieutenant Beecher, Surgeon Mooers and three of the scouts were dead; one of the latter lay mortally wounded, and seventeen of the others were more or less severely wounded. In consequence of the surgeon's death, the condition of the wounded had been rendered more serious by lack of the attention he could have given them. Colonel Forsyth fully recovered from his injuries, and further distinguished himself in the Regular Service.

In September, 1898, a monument commemorating this exceptional conflict was placed upon the island. Since that time, the Colorado Department of the Grand Army of the Republic has been the custodian of the historic spot, which has been named "Beecher Island", in memory of Lieutenant Beecher, and has permanently marked the graves of the fallen heroes who remain buried where they died.

The forays of 1868 were the last that were made upon Colorado's soil by the Indians of the plains:

CHAPTER XX.

STAGNATION IN COLORADO'S CIVIL AFFAIRS DURING THE PERIOD OF THE CIVIL WAR.—THE TERRITORY'S SHRINKING POPULATION.—DEPRESSION IN THE MINING INDUSTRY.—EFFECTS OF THE DECADENCE UPON THE TOWNS.—AREA OCCUPIED BY THE TERRITORY'S WHITE POPULATION AT THE CLOSE OF 1863.—IMPROVED MEANS OF COMMUNICATION WITH THE OUTSIDE WORLD AT THAT TIME.—TRANSCONTINENTAL LINE OF STAGE COACHES.—ADVENT OF THE TELEGRAPH.—INTERRUPTION OF TRAVEL UPON THE ARKANSAS RIVER ROUTE.—ISOLATION OF PUEBLO, CAÑON CITY AND COLORADO CITY.—EXPERIMENTAL EFFORTS TO REDUCE THE REFRACTORY ORES.—CENSUS OF THE TERRITORY IN 1866.—ITS DISAPPOINTING RESULTS.—POPULATION OF THE SEVERAL COUNTIES.—GREAT DEPLETION OF POPULATION IN THE MINING COUNTIES.—DECADENCE OF ERSTWHILE "BOOMING" CITIES.—ENLARGED APPRECIATION OF THE POSSIBILITIES OF AGRICULTURE.—ADVANCE OF THE UNION PACIFIC RAILWAY TOWARD COLORADO.—EFFORTS TO HAVE THAT ROAD TRAVERSE THE TERRITORY.—APPARENT PROBABILITY OF THE CITY OF CHEYENNE BECOMING THE METROPOLIS OF THE CENTRAL PARTS OF THE ROCKY MOUNTAIN COUNTRY.—INEFFICIENT CONDITION OF PUBLIC SCHOOLS IN COLORADO IN THE DECADE OF THE '60s.—REASONS THEREFOR.—ORIGIN OF THE TERRITORY'S PUBLIC SCHOOL SYSTEM.—SOME PROVISIONS OF THE ENACTMENT.—RESERVATION OF MINING CLAIMS FOR THE BENEFIT OF SCHOOLS.—MEAGER RESULTS OF THIS EXPEDIENT.—PUBLIC SCHOOLS IN THE TERRITORY'S LARGEST MUNICIPALITY.—DIFFICULTIES ENCOUNTERED BY THE TERRITORIAL SUPERINTENDENT OF COMMON SCHOOLS.—REORGANIZATION OF THE SCHOOL SYSTEM.—DAWN OF A NEW ERA.—FEDERAL CENSUS OF 1870.—SOME ANALYSIS OF ITS STATISTICS AS TO COLORADO.—PRODUCTION OF PRECIOUS METALS IN THE TERRITORY PRIOR TO 1870.—FAITH AND DETERMINATION OF THE FOUNDERS OF OUR COMMONWEALTH.

The period of the War for the Union was a time of great stagnation in every division of Colorado's civil affairs, and development of the Territory's natural resources receded nearly to a standstill. While the ravages of the plains Indians in 1864-65 greatly aggravated the depression in those years, the inimical conditions during the war-period mainly were due to other causes, of earlier origin. For the loss of population in consequence of the return of thousands of Pike's Peakers to their former homes, in 1861, and for the withdrawal from civil life of the active men who formed the Territory's military organizations, there was next to no compensation by immigration. Later, beginning in 1862, there was an exodus of Colorado miners into a section of the far-northern country that is now a part of the States of Montana and Idaho, and in which rich deposits of gold had been discovered in the beds of streams. The output of the Colorado mines diminished rapidly after 1861; agriculture, which was almost wholly confined to comparatively small areas in the vicinities of Boulder City, Golden, Denver, Colorado City, Cañon City, and Pueblo, was checked, the total acreage of cultivated land being less than in 1861; stock-raising, then an infant industry in Colorado, practically was limited to the needs of the reduced resident-population and the requirements of the small



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bodies of troops stationed in the Territory, and the value of all property decreased greatly.

The most serious of the local causes of the reversal had been born of circumstances that had arisen in the mining-districts. In each of these, placer mining, which, as the reader has seen, had yielded nearly all the gold that was produced in Colorado in the years 1859, '60 and '61, now was fast declining, while no new field for such mining had been occupied and developed. However, the demoralization in the mining-districts was not owing to a lack of known and accessible mineral resources. A large majority of the miners now were dealing with gold-bearing ores, which had become more and more refractory as the workings penetrated farther into the depths. Although there was an abundance of this material and a multitude of stamp-mills, the then known appliances and methods for extracting the gold carried by the peculiar and varying combinations of mineral elements found in Colorado mines were grossly inefficient. From ores known to contain exceptionally high values the returns were less than the cost of mining and treating them, with no remedy at hand to prevent the loss. The mills were turning thousands of dollars' worth of the metal into the streams along with their tailings, while some were unable even to produce results equal to the expense of milling.

Effects of the prevailing decadence were felt sharply in all the towns. By the autumn of 1863, Denver's population was about one-third less than it had been three years before, at which time it was not far from five thousand; and, beside the discouraging economic conditions, that city was afflicted during the war-time by two misfortunes due to other causes. In the morning of April 19, 1863, a fire almost obliterated the part of the business section lying on the eastward side of Cherry Creek; and in the night of May 19th-20th, of the next year, a torrential flood in Cherry Creek tore its way through the heart of the city, wrecking many buildings and drowning eleven persons. Boulder City remained a town of a few hundreds of people, and those of aggressive Golden had been reduced in number by fully one-fourth. Central City and the other communities in the mountains had fallen back in common with their lowland neighbors. Colorado City, erstwhile the Territory's capital, was grievously reduced in rank, and Cañon City was almost deserted. The influence of California Gulch had not stimulated the growth of Pueblo City, and now it was with much difficulty that that municipality held the grade of a village. A weekly mail from Denver, established in the summer of 1862, was a source of comfort and a cause for congratulation among its citizens.

In the period here under consideration, the aggregate of the areas actually occupied by the white population of Colorado was small in comparison with the total of the Territory's great domain; and aside from the "cities" and villages along the base of the eastern foot-hills, from Boulder Creek to the Arkansas River, and those in the mountain mining-districts, there were but few town-settlements of sufficient importance to appear upon the maps of Colorado made by the Territory's Surveyor-General. At the close of the year 1863, the small village of La Porte, on the Cache a la Poudre, was alone in the lowland to the north of Boulder City. In the plains country lying east of the longitude of Pueblo City and north of the Arkansas River there was only Julesburg, which was hardly more than a

stage-station. Other than Trinidad, which then was a Mexican town of some three hundred inhabitants, the entire section south of the Arkansas and east of the mountains contained no settlement worthy to be designated by name upon the maps; but Trinidad was omitted because it was generally supposed to be situated a short distance below the 37th parallel, and therefore in New Mexico. "San Margarita", "Rinsones", "San José", "San Antonio", "Guadeloupe", "San Raphael", "Tirfiella", and "Guadeloupida" were Mexican hamlets on the Río Conéjos and the Río San Antonio, in a district that is in the southeastern quarter of the present Conéjos County, and near the State's southern boundary; but San Miguel, the pioneer county seat of Costilla County, appears not. In the part of the Río San Juan's drainage basin that lies in Colorado, only two places figured upon the maps by name. One of these was "Pagosa", the germ of the modern Pagosa Springs, in our Archuleta County, but which then was a name for the springs rather than that of a settlement; the other, in a locality some three miles north of the site of the city of Durango, consisted of the several abandoned cabins that had constituted "Animas City", which had been "founded" by a venturesome party of American placer-miners in the autumn of 1860 and deserted in the next year. Its site is now occupied by the village of Animas, of far later origin. Excepting the mining-district on the headwaters of the Blue River, in which were the towns of Breckenridge, Parkville, and Lincoln, near each other and each having a reduced population, all that part of the Territory lying west of the Continental Divide and north of the San Juan Valley was a wilderness, in every appearance undisturbed by the presence and activities of white men. "Grand City", figured upon the Surveyor-General's maps as a settlement upon the site of the modern Sulphur Springs, in our Grand County, but in reality it was nothing more than a name for a place where the location of a town had been projected.

Some of the active participants in the abortive movement, inaugurated in the winter of 1863-64, to procure Colorado's admission into the Union, represented the Territory's population to be at that time "between 50,000 and 60,000", whereas the number of white people then within its borders doubtless was but little larger than 20,000. In September, 1864, after a most vigorous campaign, the total of votes cast for and against the State Constitution that was proposed in that year was 6,192; whereas, three years before, the total vote for members of the First Assembly had been more than one-half greater.

Communications with the outside world were improved in 1862 and '63. The famous Pony Express, between St. Joseph, Missouri, and Sacramento, California, instituted in April, 1860, and which later established a "branch run" from Julesburg to Denver, had been displaced in 1861 by the overland telegraph line from the Missouri River to the Coast, and which was completed in October, of that year. But until the autumn of 1863, telegraph messages for delivery in the Colorado towns were forwarded to Denver by stage-coach from Julesburg. Transportation of passengers and mails between the Missouri River and Denver, as well as to and from Salt Lake City, had become monopolized early in 1862 by interests that were incorporated in the summer of that year by Colorado's Second Legislative Assembly as the "Holladay Overland Mail & Express Company", which was the successor of the Central Overland, California & Pike's Peak

Express Company. The same interests had absorbed the Western Stage Company, which, since the autumn of the previous year, had operated coaches from Omaha to Denver, by way of Fort Kearny. Until past midsummer of 1862, the through coaches of the Holladay line, the eastern terminus of which was at Atchison, Kansas, ran by way of Julesburg, Fort Laramie, and Bridger's Pass, to Salt Lake City, where they connected with the old Chorpenning stage-line thence to California, and therefore went no nearer the settled parts of Colorado than Julesburg, just within the northeastern limits of the Territory. Although the service was extended to Denver by an efficient branch line from that historic station, the citizens protested loudly against being thus "side-tracked". Late in the summer of 1862, the Holladay Company opened and began using a shorter way westward from Julesburg, which followed the South Platte to the mouth of the Cache a la Poudre and thence ran northwestward by the course of the latter, entering the Laramie Valley by way of the site of the present village of Virginia Dale, in our Larimer County. As the new route at its nearest part was only some fifty miles distant from Denver, the people of that metropolis, which then was sinking into the dumps, cried aloud for a further change, that should provide for running the through coaches by way of their city. This was made early in 1863. The coaches now diverged from the South Platte, at or near the site of our town of Fort Morgan, traveled the "Cut-off Road", which ran thence southwesterly to Denver, and from that city took a northwesterly course to La Porte, where the former route was resumed. For the first time, Denver now was on a transcontinental line of travel. Although the overland telegraph-wire had reached Julesburg in May, 1861, more than two years had elapsed before a branch was built from that place into the settled parts of Colorado. Citizens of Denver having pledged sums that equaled nearly the entire cost of its construction, the erection of a telegraph connection from Julesburg to their city was begun in the summer of 1863, and was made ready for use on the 10th of the ensuing October, when the first message transmitted by it was sent by the Mayor of Denver to the Mayor of Omaha. The course of the branch line was the same as that which the Salt Lake stage-coaches now were following to Denver. Further financial assistance having been assured by citizens of Gilpin County, the wire was extended to Central City before the end of November, of that year.

The stage company operating between Kansas City and Santa Fé, over the Santa Fé Trail, had begun running some of its coaches up the Arkansas River into southern Colorado in 1860, and which entered New Mexico through the Raton Pass. This service was frequently interrupted in the autumn of 1863 and through the following winter by marauding Indians who appropriated the motive power of the coaches in their preparations for war, and practically was suspended in the summer of 1864, after the red men of the plains began their great campaign of carnage and destruction. As the hazards of travel from the East into the Territory by way of the Arkansas River continued to be almost prohibitive from that time until the end of the Civil War, and serious for a year or two afterward, the resultant embargo greatly emphasized the isolation of Pueblo, Cañon City, and Colorado City, and strongly reinforced the ad-

verse causes that already had obscured their prospects and depleted their population.

As we have seen in the preceding chapter, the communities in the northern section of the settled parts of the Territory were gravely menaced by the Indians in the closing years of the Civil War; and that in the winter of 1864-65, when the overland route along the Platte River was completely blockaded by the red warriors, all means of communication, both east and west, were closed.

But among those of our people who knew and properly appreciated the magnitude and value of the Territory's natural resources, faith in the future of Colorado never wavered, even in the darkest days, during the period of the War between the States. It seems that they were determined that no measure of adversity, however large and portentous it might be, should shake the foundations of that confidence.

A costly, and, in the earlier stages, unprofitable series of experiments, mainly chemical in character, for extracting the gold carried by the ores of Colorado, but out of which the solution of the problem ultimately came, was begun in 1864. However, the methods employed during that and the next year failed to overcome the difficulties, and led to the general conclusion that efficient treatment of the mineral must be by processes unknown at the time. Ways and means for accomplishing the desired results were devised by Nathaniel P. Hill (later, a United States Senator from the State of Colorado), who had been Professor of Chemistry at Brown University, in the State of Rhode Island, and were put into practice at the town of Black Hawk in the year 1867.

In the meantime the economic conditions in Colorado had improved, but not to an extent that gave full support to the optimistic beliefs of the ever-sanguine majority of the Territory's citizens. Some of the dwellers in Denver had grumbled in the summer of 1866 because everything was "horribly dull", but for these disloyal utterances the complainants publicly were given an editorial rebuke. Nevertheless their grievances were not without color of justification.

As the Statehood movement of 1865-66 gave rise to diversity of opinion and some contention as to Colorado's population at that time, the Fifth Legislative Assembly, by an act approved February 9, 1866, provided for an enumeration of the people in the Territory other than Indians. This census was taken in the spring of that year by the assessors of property for purposes of taxation. Its results brought profound surprise and great disappointment to most of the citizens, and were demoralizing to the advocates of an immediate change from the Territorial to the State form of government. Although it was known that Colorado had received a considerable immigration since the close of the Civil War, this census, a part of which was based upon "estimates", credited the Territory with a population of only 27,901, which was less than that of the city of Pueblo in the year 1900. There had been one new county added to the number that had been formed in 1861 by the First Legislative Assembly. By an act approved on February 9, 1866, the Fifth Assembly established Las Animas County ("Los" Animas, as named in the act), the territory of which was defined as being "so much of the county of Huerfano as lies south of latitude thirty-seven and one-half degrees", and which included the town of Trinidad, that now was known to be upon Colorado soil. As

the act left the choice of the county seat to the voters in the new division, they decided in favor of Trinidad.

No census returns were made by the assessors of Clear Creek, Huerfano, Lake, and Larimer counties, and therefore the population of these divisions was "estimated by persons conversant with the conditions of the counties, including members of the Legislature representing them". While it is not improbable that the figures of the census were near to the facts, they seem to have been made to lean a little toward the favorable side by the estimates that had to be applied to four of the counties. More than two-thirds of the entire population was in the northern half of the Territory, and one-fourth of the whole was in Gilpin County. But, aside from some prospectors, about the only white people in the huge counties of Summit and Lake, which, as the reader has seen, included in their areas the immense part of Colorado that is drained by the Grand and Green rivers and their tributaries, were miners lingering in the upper section of the mountain valley of the Arkansas and on the headwaters of the Blue River.

The results of the enumeration, by counties, appear in the following:

| | |
|---|--------|
| Arapahoe County, with six-sevenths of its people located in Denver..... | 4,145 |
| Boulder | 1,456 |
| Clear Creek (estimated)..... | 1,500 |
| Conéjos | 2,260 |
| Costilla | 2,192 |
| Douglas | 512 |
| El Paso | 565 |
| Frémont | 508 |
| Gilpin | 6,947 |
| Huerfano (estimated) | 1,000 |
| Jefferson | 1,782 |
| Lake (estimated) | 500 |
| Larimer (estimated) | 600 |
| Las Animas | 935 |
| Park | 552 |
| Pueblo | 800 |
| Summit | 456 |
| Weld | 1,191 |
| Total..... | 27,901 |

The effects of the decadence of mining and of the long period of general stagnation are reflected by these census-returns. Denver's resident population then was barely three-fourths of what it had been in 1860, and at the spirited municipal election held in April, of the census year, but 1,066 votes had been cast. Boulder City still was of village size, while the people of Golden City numbered about one-third of the total of Jefferson County's inhabitants, and those of Central City about one-fourth of that of Gilpin County. As a large part of the people of El Paso and Frémont counties were rural folks, which also was the case in Boulder and Jefferson counties, the census made plain the shrunken estate of Colorado City and Cañon City; and for the same reason only about one-half of Pueblo County's 800 were residents of Pueblo City. The latter was a scrawny town, characterized by crude types of architecture. Some of its buildings were of adobe, and a few of brick, but for the most part they were frame and log structures. Only here and there was there an edifice

of more than one story, and upon much the larger portion of the ample town-site, as platted in 1860, there was none of the works of man. But the greater decline among the counties had come to pass in those wholly dependent on the mining industry. While Gilpin and Clear Creek had been deserted by thousands of those whom they had harbored in the pioneer years, they had not lost so heavily as some others. Park County, that had swarmed with seekers of fortune in those years, and in which Tarryall, Fairplay, Jefferson and other booming "cities" had arisen in that brief period of placer-prosperity, now was occupied by only a remnant of its former population. Practically all of Summit County's white people were, as I have said above, on the headwaters of the Blue River, where there had been many times their number six years before. With a total of but 456 persons other than Indians now present in the entirety of this far-reaching county, its towns of Breckenridge, Parkville, and Lincoln were neither large nor thrifty communities. Like conditions existed in the upper section of the mountain valley of the Arkansas River, which was the only settled part of Lake County, that also was of vast dimensions; and as this county contained but 522 non-Indian people in 1870, the chances are that the white population of Lake in the spring of 1866 was hardly more than two-thirds of the estimated 500. A small part of the number was in the once flamboyant Oro City, which now had degenerated into an insignificant mountain-village; but most of the inhabitants of Lake were scattered in the gulches above and below Oro, and in which they were employed in very lean placer-mining. It is probable that the estimate of Clear Creek County's population was too large, as the census of 1870 found only 1,596 people in that division. After due allowance is made for the number of residents in its towns in 1866, that of the men then at work in the mines of Clear Creek County can be represented by small figures. Gilpin County relatively had fared the better, but its population continued, as we shall see presently, to shrink during the next four years. Conejos and Costilla counties, which stood in this census respectively third and fourth numerically, were in the main occupied by Mexican citizens, engaged in agriculture and stock-raising in the valley of the Rio Grande, which stream formed the eastern and the longer part of the northern boundary of Conejos.

The census figures for Weld and Larimer counties, as well as for others in which cultivation of the soil had become the employment of more or less of their citizens, show the results of an enlarged appreciation of the possibilities of agriculture in the Territory. But at that time only small areas of Weld and Larimer, in the southwestern corner of the former and southeastern part of the latter, were settled. Their people, who then were the farthest-north of Colorado's population, were protected against Indian depredations by the garrison of Fort Collins, on the site of the present city of the same name.

Construction of a railway between Omaha, Nebraska, and Sacramento, California, by the Union Pacific and Central Pacific railway companies, had begun in 1865, and in the spring of 1867 the road of the former had been completed and opened for traffic from Omaha to the forks of the Platte River, a distance of nearly three hundred miles. The stage-coaches that had operated between the Missouri River and Denver during the earlier of Colorado's years had been making the advancing end of the Union

Pacific track their eastern terminus: and now the mileage of travel by them to an eastern rail-connection, by way of the "Cut-off Road", had been reduced to about two hundred and seventy miles, which was considerably below half the distance to the river, and which lessened the time and expense of the journey more than one-half.

Notwithstanding the slowness with which the development of the Territory's resources was reviving and the disappointing results of the census of 1866, citizens of Denver and of Golden City entered upon an active campaign in 1867 for the purpose of providing their communities with railway communication. As I relate in a succeeding chapter, of which the inception and construction of Colorado's present system of steel highways is the subject, railway projects had been discussed and planned in both Denver and Golden before the outbreak of the Civil War; and meanwhile a company, the President of which was a leading citizen of Golden, had been organized to build a railway from some point upon the upper part of the Territory's eastern border directly to that town, and which should become a section of the Union Pacific line into the farther West. In 1865 and '66, strenuous efforts were made by citizens of both Denver and Golden to induce the Union Pacific Company to locate and build its road through northern Colorado, by way of those towns and the Clear Creek depression; although the people of Golden were of the opinion that it was not necessary to include Denver in such a programme. But as the Union Pacific interests finally had decided late in 1866 to construct their road upon a route lying more than one hundred miles north of these rival communities, the steadfast citizens of each now resolved to obtain a rail-connection with the transcontinental line—a determination in which again was reflected their resolute faith in the future of their Territory, despite the consequences of the years of stagnation and of the evils of Territorial politics as exemplified in Governor Cummings' administration.

At this time it was believed by many persons in the West, including some of Colorado's citizens, that the metropolis of the central parts of the Rocky Mountain country was to rise beyond the northern border of our division of the Union, and to which the Colorado towns were to become tributary communities. The city of Cheyenne, Wyoming, had been founded by interests identified with the Union Pacific Railroad Company, and laid out upon broad lines. It was to be a division terminal on the great railway; the company's shops for the construction and repair of its rolling-stock were to be located there, and much of its other business was to be transacted in the new city; and under the fostering care of that organization Cheyenne was to be made the financial and commercial center of the Far West. Lots in the town were given to reputable men upon condition that the recipients should at least expend specified minimum sums in erecting buildings upon them, and the place now was the scene of great activity, much of which was due directly to construction-work upon the railway. Some of the former residents of Denver and of other Colorado towns already had migrated to Cheyenne, which was in a locality that afforded an easy extension of its limits over a wide expanse of land. Denver's prospects for realizing the ambitious expectations of its people appeared to the impartial observer in the fore part of that year to have been reduced to extreme improbability.

Prominent among the withering effects of the general depression that existed in Colorado between the years 1860 and 1870 was the inefficient state of the Territory's public-school system, but which truly may be said to have been unavoidable during the greater part of that period. The Territory's population was not only small but divided among many communities; all property-values had declined greatly since 1861. To the retarding influences of current conditions and of the future's uncertainties were added those arising from the high cost of daily subsistence and from the expense of maintaining civil government. As the Federal appropriations formed only a part of the Territory's revenues, the remainder had to be procured by taxation; and beside this requirement there were the additional burdens of supporting the county and the municipal governments, and also of paying the various special taxes levied by the Federal Government in that decade in consequence of the Civil War. Moreover, the number of children of school-age relatively was not nearly so great as in older communities, because an abnormally large part of the Territory's people still consisted of men without families. As these were not directly interested in the subject of free education of children, many of them were disinclined to be radical advocates of increasing the sum of public expenditures for the sake of public schools.

As I have set forth in an earlier chapter, the first secular school in the domain of Colorado was the private "Union School" opened by O. J. Goldrick, in the Auraria part of Denver, in October, 1859; and as I have also stated in the same chapter, the first structure erected upon Colorado's soil especially for school purposes was built in Boulder City and put into use in the autumn of 1860. It has frequently been said that "Boulder had a public school in 1860", that was sheltered in this building, which thus became "the first public school-house in Colorado". But these assertions are not strictly true, inasmuch as the Boulder building was constructed, and its school was supported in that and the next year, by private means, and not by public taxation. There were no schools in Colorado maintained at public expense until late in the year 1862.

No attempt had been made to establish public schools in the Pike's Peak country under laws of the Territories from parts of which Colorado Territory was formed. The organizers of Jefferson Territory contemplated the erection of a public-school system, and among Jefferson's elected officers was a "Superintendent of Public Instruction". But that government passed out without having accomplished anything practical toward founding a system of free schools. In October, 1860, the "Legislative Council of the Provisional Government of Denver City", which municipality had seceded from Jefferson Territory, unanimously adopted the following resolution:

"Resolved, That a committee of three be appointed to take into consideration the expediency of establishing, as soon as practicable, one or more free schools in this city; to ascertain the number of children and youth between the ages of 4 and 18, within our corporate limits; and to report to the Council a plan for the organization and permanent establishment of an institution, or institutions, for educational purposes. The same to be supported by levying a tax called a 'school-tax' upon the property, real and personal, in this city; said tax to be used for no other purpose than for the support of said schools—to which all children and youth shall be admitted."

But nothing resulted from this laudable proposition. Privately-supported schools continued to afford the only facilities in Denver, as elsewhere in the Pike's Peak country, for secular education until the second year of lawful government, under the jurisdiction of Colorado Territory. In the meantime, there were such schools in several of the towns, Denver City having three, including Goldrick's pioneer institution, in the summer of 1861, and twice as many in that of 1862. But the total number of children in attendance at these seats of learning comparatively was small.

The first legislation for instituting public schools in Colorado was contained in an enactment by the Territory's First Legislative Assembly, and which was entitled "An Act to Establish the Common School System". This statute, which was approved by Governor Gilpin on November 7, 1861, was based upon the school laws then in force in the State of Illinois, and made full provisions for putting its purposes into effect. The head of the system was to be an officer designated as "Territorial Superintendent of Common Schools", to be appointed by the Governor, and whose term, with an annual salary of \$500, was to commence on December 1, 1861. "He shall have a general supervision of all the district schools of the Territory, and shall see that the school system is, as early as practicable, put into uniform operation". County Superintendents of schools were to be elected in each organized county at the first election of county officers, and biennially thereafter, for a term of two years, and who were to have local supervision of schools, under the Territorial Superintendent. Taxes for school purposes were not to exceed one and one-half per cent. on the taxable property in a school district, in any one year. Among other features of the law were the following:

"The provisions of this act shall not extend to districts, communities or counties, when, in the opinion of the people [to be expressed by ballot at an election duly held] residing in such localities, they shall not deem it expedient to establish common schools; . . . and it is further provided that in any district where the legal voters shall decide against the levying of such tax [a school-tax], the property in such district shall not be taxed to support schools in other districts in the county or Territory."

On the day he approved the act, Governor Gilpin appointed W. J. Curtice to be Territorial Superintendent of Schools, and the latter entered upon his duties on the first day of the next month. But as governments for the county-divisions of the Territory yet had to be organized and their tax-gathering machinery set up and put into operation, nothing that was practically effective was accomplished by the Territorial Superintendent until the autumn of the following year, when schools were opened in some of the districts that meanwhile had been formed.

The Second Legislative Assembly, by "An Act to create a Fund for the Benefit of Common Schools", approved on August 15, 1862, provided for a new source of school-revenues, as follows:

"Section 1. That hereafter, when any new mineral lode, of either gold-bearing quartz, silver, or other valuable metal, shall be discovered in this territory, one claim of one hundred feet in length on such lode, shall be set apart and held in perpetuity for the use and benefit of schools in this territory, subject to the control of the Legislative Assembly."

Provisions contained in other sections of the act required the discoverer of a lode to set apart "claim No. 3", east or west, for school purposes; affixed penalties for non-compliance with, or evasions of, the terms

of the act; and made it the duty of the Recorder of the county in which the lode was situated duly and without charge to record the reserved claim as "for the benefit of schools", and to give a certificate thereof to the County Superintendent of Schools, who was charged with "the supervision and control of all claims so taken". A supplemental law, enacted in January, 1866, provided that one side claim at each end of the discovery-claim should become the property of the Territory—one hundred feet for the schools and one hundred for the benefit of disabled miners; and also authorized County Superintendents of Schools to sell or lease the school-claims.

It was supposed that the effect of this legislation would be to produce a considerable revenue for school purposes, but it failed to meet even the more moderate of the expectations. Not many profitable lodes were discovered in the years of that decade after the enactment of original law, and the total results from it were not of large benefit to the schools. After January, 1866, some of the claims were sold at low valuations, and others were leased upon terms that yielded but little to the school-fund. Presently the validity of the enactments became the subject of litigation, in which they were held to be absolutely null and void: as being in violation of the Territory's Organic Act, as well as of other statutes of the United States.

Some of the smaller communities in the Territory, acting under the provision of the law of 1861 that I have quoted above, decided that it was inexpedient for them to undertake the support of public schools, and remained without them for several years. Of the general outcome of efforts to establish and maintain a free-school system in Colorado during the decade of the '60s, the reader may judge from what was accomplished in Denver, the largest municipality in the Territory. The city was divided into two districts, separated by Cherry Creek: "East Denver" forming District No. 1, and "West Denver", which then had the larger school-population, District No. 2. A Board of School Directors was elected in each in October, 1862, the total of the votes cast being only a few hundreds. The plans provided for but one school in each district. The "West Denver" establishment began its first session on December 1st, of that year, in the rented second story of a brick business-structure, with two teachers, which number was increased to three about two weeks later. The "East Denver" school was opened on December 10th, in a rented small frame-building, with two teachers. These schools were continued with the same number of teachers until near the end of the following April: and also, with two teachers in each, from September, 1863, until past the middle of the spring of the next year, yet not without some intermissions, none of which, however, were long. But for the school-term of 1864-65 the number of teachers was reduced to one in each district, notwithstanding that the capacity of the schools, both as to room and instructors, had been insufficient to accommodate more than about one-third of the city's school-population. The "East Denver" district fell still further back in the next school-year, as it appears that that division had neither a Board of School Directors nor a school during the term of 1865-66.

It was not until late in the year 1865 that either of the Denver districts owned a school-house. A small two-story brick business-building, at the intersection of Lawrence and Eleventh streets, was purchased by the "West Denver" Board of Directors in that season for school purposes,

with money collected by "passing the hat". In the price paid for it, \$700.00, the lowness of property-values at that time is indicated.

The two districts in Denver reopened their schools in the autumn of 1866, but without enlarged facilities. The "East Denver" Directors gave public notice that the session of their school should be one of ten months, ending in the last week of June, 1867. "Patrons of the school may rest assured," they said, "that no pains will be spared to make it a permanent institution, and the best means of education in this city." But its capacity was not sufficient for more than about one-third of the district's children of school-age, the number of which now had increased. An editorial comment upon the notice said:

"Heretofore the attempts at establishing public schools in the city have not met with that success that the friends of education here wished, and consequently there has been a distrust as to the permanency of the excellent institution [in "East Denver"] now existing. . . . We are informed that there is now a school-house fund of some eighteen hundred dollars in trustworthy hands, and as soon as circumstances will warrant, it is hoped this nucleus will be added to, sufficiently to enable the building of a school-house worthy of the city and its educational interests."

About two weeks later, the same editorial writer said:

"The population of Denver is about four thousand. Of this sum not less than one-fourth are children, who should be in daily attendance at some institution of learning. Were the facilities for instruction what they should be, in a city of such importance as ours, such would be the case, but unfortunately the houses furnished for school purposes will not decently accommodate one-fifth of the scholars. At the school . . . which we visited to-day [that of "East Denver"], we found about one hundred and fifty scholars in attendance, crowded into two rooms, with not more than half the space which the laws of health and intelligence should give.

"The present facilities in the way of houses for the public schools of Denver are a disgrace and dishonor to the city, and a blot on the fair sheet of the enlightenment of the nineteenth century."

In the meantime there had been several incumbents of the office of Territorial Superintendent of Common Schools. Curtice resigned in 1863, and was succeeded by William S. Walker, who, early in 1865, yielded the position to A. W. Atkins, the Territorial Treasurer, in consequence of an enactment by the Fourth Legislative Assembly that required the Treasurer also to discharge the duties of Territorial Superintendent of Schools. Columbus Nuckolls, who became Treasurer in 1867, earnestly endeavored to improve the conditions in the Territory's demoralized school-system, but with only a small measure of success. In his comprehensive first annual report, which also was the first fully entitled to such a designation among those that had been made on school affairs up to that time, Nuckolls said:

"I would also state that several counties have never, even when requested, informed the Superintendent of Public Instruction as to who was or who had been County Superintendent, and that it is not yet known to him whether there is any responsible county [school] organization."

Curtice and the other earlier Superintendents had encountered similar difficulties, which, together with some that were different, continued to exist in varying degree until the end of that decade. It was alleged that it was not an uncommon thing for portions of the lean school-funds to be appropriated to other public purposes by both county and school-district

officers; and it was charged that the slender proceeds from mining-claims acquired by the Territory under the enactments in 1862 and '66 "were not properly accounted for." In reports from County Superintendents in that period, the Territorial Superintendent was told of a "lack of interest in school affairs"; that "my predecessor in office has left no records"; that "I hope to get matters in shape so as to render a complete account next year"; that "school matters here are in a very bad condition, as for the past two years the County Commissioners have neglected to levy a school tax, hence we have no money"; and so on through a long category of excuses and complaints.

During the closing years of the decade of the '60s, as the Territory's prospects brightened, and the tax-paying ability of the people became greater, there was some improvement in the status of Colorado's public schools. The population was increasing, though not so rapidly as many of the citizens believed, and now included a higher ratio of men with families. But conditions changed for the better slowly, as there still was a considerable minority of residents who were either indifferent to or had no direct personal interest in the maintenance of schools.

However, in the last year of the pioneer period, which was ended by the completion of railways into the Territory and to its capital city of Denver in the summer of 1870, and which also marked the beginning of a new era of prosperity in Colorado, a majority of our people realized the necessity of reorganizing and strengthening their debilitated school-system. This conviction was given the form of law by an act of the Eighth Legislative Assembly, entitled "An Act to provide for Common Schools," and which was approved on February 11, 1870. The new law clothed Boards of Education with broader authority, assured them of a generous share of the public revenues, and also in various other ways gave life and vigor to the administration of school affairs in the Territory. It was under the provisions of this enactment that the foundations of Colorado's present system of public schools were laid, and which in efficiency is the equal of that of any of the older States of the American Union.

The first thorough numbering of Colorado's population was that made by the Federal Census Bureau in 1870. The Territorial enumeration, in 1866, was, as we have seen, imperfect. The census of 1861, taken in compliance with a provision of the Territory's organic law, was unsystematic, and probably more faulty than that of 1866. At the time the Federal census of 1860 occurred, the region that became the Territory of Colorado in the next year formed, as the reader will recall, parts of the older Territories of Kansas, Nebraska, Utah, and New Mexico. While it appears that no attempt was made to count the Pike's Peakers in the last-named three divisions, the census was extended into the western confines of Kansas Territory. The enumeration, which was made in August and the fore part of September, and probably was not a very careful performance, was by "Cities, Towns, and other Subdivisions", no attention being paid to the lines of the counties that had been "authorized" by the Kansas Legislative Assembly. The number of fortune-seekers in the new gold-fields and settlements at the beginning of that summer doubtless was three times as great as that which was recorded by this census, the results of which were as follows:

| | |
|---|--------|
| Arapahoe City..... | 80 |
| California Gulch..... | 2,036 |
| Central City..... | 598 |
| Clear Creek..... | 40 |
| Denver City..... | 4,749 |
| Enterprise District..... | 320 |
| Eureka Gulch..... | 160 |
| Golden City..... | 1,014 |
| Lake Gulch..... | 438 |
| Leavenworth Gulch..... | 240 |
| Missouri City..... | 597 |
| Mountain City..... | 840 |
| Nevada Gulch..... | 879 |
| Quartz Valley..... | 120 |
| Russell's Gulch..... | 480 |
| Russell's Gulch and Idaho..... | 255 |
| South Clear Creek..... | 5,966 |
| South Park..... | 10,610 |
| Spring Gulch..... | 141 |
| Tarryall and South Park..... | 1,000 |
| Valley of the Platte..... | 3,714 |
| <hr/> | |
| Total | 34,277 |
| White males, 32,654; white females, 1,577; black males, 37; black females, 9; | |
| total, 34,277. | |

Between the time of the Territorial census of 1866 and that of the Federal of 1870 three new counties had come into existence in Colorado. These were Saguache, Bent, and Greenwood. Saguache had been established by an act of the Sixth Assembly that was approved on December 29, 1866, with the new town of Saguache City at its county seat. It was formed from the northern part of Costilla County and the southeastern of Lake, with an area larger than that of the present Saguache County. The Arapahoe and Cheyenne Indians having been removed into the Indian Territory, Bent and Greenwood Counties were established by an act of the Eighth Assembly that was approved on February 11, 1870, and by which the town of Las Animas was designated as the county seat of the former and the town of Kit Carson as that of the latter. Bent County, which was about 110 miles in longitude by some forty-two in latitude, embraced the areas of the present Bent and Prowers counties and most of the territory of the present Otero County. Greenwood County, equal to Bent in longitude, but with about sixty miles of latitude, lay between Bent and Douglas counties, covering the territory of the present Cheyenne and Kiowa counties and parts of the present Kit Carson, Lincoln, Elbert, and Otero counties. Greenwood was abolished in 1874 and its territory divided between Bent and Elbert counties, in which year the latter was organized, with an area far larger than it now possesses; and by this change the area of Bent County was increased to about 9,300 square miles.

The results of the Federal census of 1870, in Colorado, and which determined the population of the Territory to be 39,864, including 180 civilized Indians, 456 negroes, and seven Chinese, caused even greater surprise and disappointment among our people than had followed the Territorial numbering in 1866. But, while the mining industry was reviving in Boulder, Gilpin, and Clear Creek counties, agriculture and stock-raising

were expanding, and there had been a significant immigration, the intervening years had been times of preparation for a new era in Colorado rather than of great actual advancement. The figures of that census, by counties, here follow:

| | |
|-----------------------|--------|
| Arapahoe County | 6,829 |
| Bent | 592 |
| Boulder | 1,939 |
| Clear Creek | 1,596 |
| Conéjos | 2,504 |
| Costilla | 1,779 |
| Douglas | 1,388 |
| El Paso | 987 |
| Frémont | 1,064 |
| Gilpin | 5,490 |
| Greenwood | 510 |
| Huerfano | 2,250 |
| Jefferson | 2,390 |
| Lake | 522 |
| Larimer | 838 |
| Las Animas | 4,276 |
| Park | 447 |
| Pueblo | 2,265 |
| Saguache | 304 |
| Summit | 258 |
| Weld | 1,636 |
| Total..... | 39,864 |

The reader will see that the increase in population since 1866 had been confined to the agricultural and stock-raising counties and to their towns. In Clear Creek, Gilpin, Park, Lake, and Summit there had been a net decrease of more than 1,600. Aside from the nearly depopulated mining-districts on the headwaters of the Blue River, the great Western Slope, a large part of which now had been set off as a reservation for the northern Ute Indians, still was a wilderness.

The census-returns for the cities and towns of Colorado, in 1870, and in which the names of some new urban communities appear, were as follows:

| | |
|--------------------------------------|-------|
| Black Hawk (Gilpin County)..... | 1,068 |
| Boulder City (Boulder County)..... | 343 |
| Breckenridge (Summit County)..... | 51 |
| Cañon City (Frémont County)..... | 352 |
| Central City (Gilpin County)..... | 2,360 |
| Colorado City (El Paso County)..... | 81 |
| Denver (Arapahoe County)..... | 4,759 |
| Evans (Weld County)..... | 189 |
| Georgetown (Clear Creek County)..... | 802 |
| Golden City (Jefferson County)..... | 587 |
| Greeley (Weld County)..... | 480 |
| Idaho (Clear Creek County)..... | 229 |
| Kit Carson (Greenwood County)..... | 473 |
| Montezuma (Summit County)..... | 22 |
| Mount Vernon (Jefferson County)..... | 31 |
| Nevada (Gilpin County)..... | 973 |
| Pueblo (Pueblo County)..... | 666 |
| Sherwood (Larimer County)..... | 160 |
| St. Johns (Summit County)..... | 71 |
| Trinidad (Las Animas County)..... | 562 |

These are all the Colorado municipalities that figure in the reports of that census. Several of the pioneer "cities" had disappeared. A number of the old towns that now had been reduced to the grade of villages, together with sundry hamlets, had been treated as parts of "districts," and therefore were not enumerated separately.

While the mining industry had been reviving slowly since 1867, the population of the counties in which it was practically the only dependence during the '60s had, as we have seen above, continued to fall off. As development of the resources in precious metals of that part of Colorado which is familiarly termed "the San Juan country" was not begun until early in the '70s, mining for gold and silver still was confined almost wholly to old districts, in which the results of placer work had become comparatively insignificant, and where the production of silver yet was in its infancy.

Of the total value of precious metals mined in Colorado between the years 1860 and 1870 there was no accurate data, nor were there any means by which such information could have been procured. The Director of the Federal mints estimated the production of gold in the eleven years next before 1870 to have been, in round figures, \$27,213,000; and that of silver in the same period \$330,000. As I have said in an earlier chapter, it is highly probable that the value of the gold that was taken from Colorado placers in the years 1859 and '60 was not less than \$10,000,000. Assuming this to be somewhere near to the facts, and accepting the estimate of the Director of the mints in gross, the production of gold during the succeeding nine years—1861-69, inclusive—was to the value of about \$17,000,000; an average of less than \$2,000,000 for each of those years. But it is also highly probable that the average for the five years between 1861 and 1867—the period of the greatest depression—was considerably below \$2,000,000, as the yield in 1861 doubtless was some fifty per cent. above the average for the nine years covered by the figures here under discussion. The silver values produced before 1870 were so small that they do not materially affect the calculations. As we have seen, Colorado's population in the years between 1860 and 1870 ranged from a minimum of about 20,000 to a maximum of less than 40,000, with annual average that approximated 27,000. Therefore the value of the precious metals mined in the Territory in those years average about seventy-one dollars per capita.

However, the main interest that the depression in general economic conditions, the census-figures, and the mining-statistics of that period now possess lies in the service they render in enabling us better to appreciate the faith, fortitude and determination of those who laid and guarded the foundations of our Commonwealth.

CHAPTER XXI.

SOME CONSEQUENCES OF THE ADVENT OF RAILWAYS INTO COLORADO.—TERMINATION OF THE TERRITORIAL PERIOD.—FORMER RETARDING CONDITIONS.—NEW TIDE OF IMMIGRATION.—COLONIES OF NEWCOMERS.—GERMAN COLONIZATION SOCIETY.—ITS SETTLEMENT IN THE WET MOUNTAIN VALLEY.—ORGANIZATION AND COMING OF THE UNION COLONY.—FOUNDING OF GREELEY AND DEVELOPMENT OF THE GREELEY DISTRICT.—CHICAGO-COLORADO COLONY.—ITS LOCATION IN BOULDER COUNTY AND FOUNDING OF LONGMONT.—ST. LOUIS WESTERN COLONY, THE UPBUILDERS OF EVANS.—SOUTHWESTERN COLONY.—GREEN CITY.—INDEPENDENT IMMIGRATION.—COLORADO BUREAU OF IMMIGRATION.—EVIL EFFECTS OF ITS METHODS.—BIRTH OF COLORADO SPRINGS.—BROAD PLANS OF ITS PROMOTERS.—STEADY AND SUBSTANTIAL GROWTH OF THE CITY.—SOUTH PUEBLO.—CIRCUMSTANCES OF ITS BEGINNING.—MILITARY POST OF FORT COLLINS.—RISE OF THE CITY OF FORT COLLINS.—COLORADO AND THE PANIC OF 1873.—VISITATIONS BY ROCKY MOUNTAIN LOCUSTS.—DESTRUCTIVE RESULTS OF THEIR RAVAGES.—CONDITIONS UPON THE WESTERN SLOPE AND IN THE SAN JUAN COUNTRY.—GREAT RESERVATION FOR THE UTE INDIANS.—UNCERTAINTIES AS TO LOCATION OF COLORADO'S SOUTHERN BOUNDARY.—DISCOVERIES OF GOLD AND SILVER IN THE SAN JUAN IN 1870.—INRUSH OF MINERS.—CESSION AND OPENING OF A PART OF THE UTE RESERVATION.—THE GUNNISON COUNTRY.—REVIVAL OF INTEREST IN ITS RESOURCES.—PROSPECTING EXPEDITIONS.—DR. SYLVESTER RICHARDSON'S COLONY ON THE GUNNISON RIVER.—CONDITIONS IN THE MIDDLE AND NORTH PARKS.—THEIR THIN POPULATION.—GROWTH OF THE OLDER TOWNS IN THE TERRITORY.—FORMATION OF NEW COUNTIES.—IMPENDING STATEHOOD.

The completion of railways into Colorado and to its capital city, in the summer of 1870, an account of which appears in Chapter XXIII, distinctly marked the beginning of a new era in the history of the Territory, and terminated the pioneer period. Although the latter had not been long in comparison with that of most other divisions of the Union, it had been attended, as we have seen, by unusual difficulties and many trying conditions. In all previous movements in the settlement of the Mississippi Valley by Americans, the pioneers thereof advanced the line of the "frontier" farther and farther west as the country became occupied by their compatriots. But those of Colorado left the frontier, as it was situated in their time, six hundred miles behind them. The retardation of the Territory's development largely had been due to causes arising from its isolation. Conspicuous among the consequences of this were the tediousness and high cost of transportation over the great plains, and which, even in passenger travel, were serious hindrances. Throughout the longer part of the pioneer period the duration of nearly a week was consumed in the expensive stage-coach journey, that also was wearisome to the limit of endurance, from or to the Missouri River, a distance that now may be covered in luxurious ease and at less than one-fifth the expense between the dawn and the dusk of a summer day. Freightage was, of course, much slower, requiring for the passage as many weeks as there were days in the stage-journey, and the charges therefor were correspondingly great. In times when the plains Indians were

wreaking death and destruction along the routes of travel, rates as high as \$20.00 and \$25.00 per hundred pounds were paid in Colorado.

Among the important immediate results of the advent of railways were the stimulation it gave to immigration and the change it caused in the trend of economic affairs in the Territory. Theretofore the interests and influences of mining for the precious metals had predominated over all others, but now a larger share of attention and preparation was given to further development of agricultural resources, as well as of the livestock industry. Moreover, a change was wrought in the character of the immigration. Since the Civil War it had been a straggling movement, some of the newcomers traveling by stage-coach, while the greater number came with their own transportation, in families and in small parties, though in the latter case they were associated only for the journey. The great majority had no predetermined local destination or fixed purpose, but intended to decide these after "looking around", and in a state of mind that was open to any promising opportunity that might "turn up", either in a town or in the country parts. Now, however, a fair part of the immigration was in bodies organized with a measure of community of interests, with settled plans and definite purposes, and to locate in places previously selected with a view to their adaptability to successful agriculture.

Another immediate and important consequence of the completion of communications with the East by rail was the initiation of the construction of local lines of railways, as related in the succeeding chapter of this volume referred to above. While the extension of such roads was checked and for a few years held in abeyance by the effects produced in the money-markets of the East by the monetary panic of the autumn of 1873, the completion of a considerable mileage before the intervention of those causes of delay greatly stimulated activities in the Territory during the interval from the beginning of the new era.

The first body of Colorado's immigrants organized solely for the purpose of establishing an agricultural community in the Territory was the "German Colonization Society", or, as more commonly known, the "Chicago Colony", which was organized in the city of Chicago on August 24, 1869, with Carl Wulsten as President. A committee of its members was sent to Colorado later in that year to select a location for the colony, and which arranged for the acquisition of a tract of about 40,000 acres of land lying in that part of the Wet Mountain Valley now embraced by the boundaries of Custer County, but over which Frémont County then extended. A party of the society's members, numbering eighty-six, and having with them their families, entered the locality on March 21, 1870; and later in that year these were joined by about one hundred other families. The colony began the cultivation of land in that year, and also laid out a town, which was named "Colfax", in compliment to the Indiana statesman of that name. Although the locality was not unfavorable for the purposes of the undertaking, the colony, as an organization, was not successful; and among the reasons therefor were mismanagement, dissension and homesickness. While some of the settlers held and developed their allotments, others abandoned the colony, and the town of Colfax subsequently sank into oblivion.

The next organization of immigrants that entered Colorado in 1870

with agriculture as the objective of a large majority of its members was the "Union Colony", which was born in the city of New York. The movement that had resulted in its formation was instituted by Nathan C. Meeker, agricultural editor of the *New York Tribune*, at the instance of Horace Greeley, then the editor-in-chief and controlling owner of that newspaper. Mr. Greeley had visited Denver and the Gregory Mining-camp in the summer of 1859, when on a journey to the Pacific Coast; and while at that time he appreciated the significance of the discoveries of gold that had been made, he was even more deeply impressed by the other natural resources of the Pike's Peak country.

In company with several others whom he had interested in the project, Mr. Meeker had gone to Colorado in the summer of 1869 to spy out the land for the purposes he had in view. When he was taken into the South Park he jumped to the conclusion that the contemplated colony should occupy a part of that Mountain-basin. But he was soon dissuaded from this by citizens of Denver, who advised him to seek a location in the low-land, and not far from the foot-hills, which counsel he followed. After he had seen several such localities, Meeker returned to New York well satisfied with the results of his later observations. Through the autumn of that year, he and Mr. Greeley used the columns of the *Tribune* to give wide publicity to the enterprise, and by the end of that season some hundreds of the paper's readers had expressed their desire to take part in the proposed migration. At a meeting of a large number of these, held in the Cooper Institute, in New York City, on December 23d, of that year, the organization of the "Union Colony" was effected, with Meeker as President, General Robert A. Cameron Vice President, and with Mr. Greeley as Treasurer. Meeker, Cameron, and A. C. Fisk were appointed to go to Colorado and determine a location for the organization. This committee came into the Territory in March, 1870, and early in April agreed upon the vicinity of the confluence of the Cache a la Poudre and South Platte rivers, in Weld County, as the better place in which to establish the community. Some Colorado men previously had acquired land in that locality and were farming it; and near the mouth of the Poudre stood the hamlet of Latham—a collection of few dwellings. About 12,000 acres of land were purchased for the colony from the Denver Pacific Railway Company and from individuals, and provisional title was obtained to 60,000 acres of public land, the immediate outlay on account of the whole being nearly \$60,000. The form of the colony's organization practically was that of a joint-stock company, with equitable provisions for the assignments of subdivisions of the land to its members.

The first party of the Union Colony's settlers, and which consisted of about fifty families, arrived early in May (1870), and in that month work was begun upon ditches for irrigation, and a site for a town, which was named in honor of the editor-in-chief of the *Tribune*, was platted. During the ensuing two or three months several hundreds of other members with their families came in and were settled. The colony consisted principally of New England, New York, Ohio, and Indiana people, who were resourceful and substantial; and, while most of them were farmers who intended to continue to be cultivators of the soil, there were mechanics, professional men, and merchants among them. The colony prospered from the start. The town of Greeley, which had been finely planned, grew into

an active business-center within a few months; and in June, 1871, it had, according to an enumeration made in that month, a population of 1,155, of which 325 were "children under twenty-one years of age". With its bank, newspaper (the *Greeley Tribune*), business houses, hotels, and various shops it was a thrifty young metropolis, and the country around it was proportionally occupied and improved. At the present time the "Greeley District", as it is commonly called, and which extends many miles beyond its original limits, is thickly populated, is noted for its fertility, its highly developed agriculture, its beauty, and for its great prosperity.

The Greeley Colony was the first "dry" community in Colorado. In deeds to real estate transferred by the organization to its members there was inserted a clause forever prohibiting the manufacture of intoxicating liquors, and also their sale as beverages, upon the premises so conveyed.

Three large colonial organizations—the "Chicago-Colorado", the "St. Louis Western", and the "Southwestern"—with agriculture as the purpose of most of their members, were planted in northern Colorado in the spring of 1871. The first of these was the "Chicago-Colorado Colony", organized in the city of Chicago on November 17, 1870, with Robert Collyer, a widely-known Protestant clergyman, as its temporary President, but who was succeeded in the permanent tenure of the office by Seth Terry. A committee authorized to decide upon a location for the colony arrived in Colorado about the close of that year, and late in January (1871) selected a district in the northeastern part of Boulder County, and which is drained by St. Vrain Creek and several other left-hand tributaries to the South Platte River. Fifty-five thousand acres of land were purchased in that district for the uses of the colony, which had been organized upon the plan that the Union Colony already had made successful, at Greeley.

Members of the Chicago-Colorado organization began to come in early in the spring of 1871, and before the end of that season there were several hundreds of men, women, and children upon the ground. A system of irrigating ditches that aggregated more than thirty miles of mains and laterals had been finished, and the colonists had platted and begun building the town of Longmont, the name of which was derived from "Long's Mountain", otherwise Long's Peak. The colony flourished greatly. By the coming of autumn there were more than a thousand people settled in its district, and Longmont had become a busy town, with a population of about four hundred, and having a full complement of commercial and other business enterprises, including a newspaper (the *Longmont Sentinel*). In the work of developing and improving their locality, which is now a part of a great and garden-like cultivated section in northern Colorado, the Longmont colonists rivaled that of their eastward neighbors—the Union Colony.

The next to come was the "St. Louis Western Colony", which had been organized at Oakdale, Illinois, on November 29, 1870, and of which A. C. Todd, a Protestant clergyman, was President. In the following winter, an organization, styled the "New England Colony, of Boston", arranged to unite with the St. Louis Western. These immigrants, of which the first group of families arrived early in the following April, occupied land around the town of Evans, that had been platted in October, 1869, but which in that year had acquired but forty inhabitants. Other families of the colony continued to come in through the spring of 1870, and ere the season was at its end there were about five hundred of the new people in the Evans lo-

cality, and the town had a newspaper (the *Evans Journal*). While these settlers were fewer in number than were their close neighbors of the Union Colony, their community prospered, developing farms and bringing them to a high state of cultivation, and also contributing largely to the upbuilding of Evans. The locality now is considered as a part of the Greeley District.

The "Southwestern Colony" was formed at Memphis, Tennessee, in January, 1871, chiefly by the efforts of D. S. Green, of Denver, who was elected its President, the original membership consisting in the main of Tennessee and Kentucky people. The land selected for the location of this organization is on the South Platte River, in a district between twenty and thirty miles below (to the eastward) of Evans. Nearly one hundred families of these colonists arrived during the spring of 1871, and in the summer of that year they were reinforced by nearly as many more. By this time a main ditch and laterals with capacity for watering about 20,000 acres of land had been completed, and the town of "Green City", so named in honor of the colony's President, had been laid out. Although the town was described in the autumn of that year as "a lively place," neither it nor the colony prospered. Many of the settlers, abandoning their lands, located elsewhere, and Green City did not long figure upon maps of Colorado. When the town was founded the immediate building of a railway from Golden City to Julesburg, along the course of the South Platte, was anticipated, as surveys and other plans for it already had been made. But as results of the panic of 1873 indefinitely postponed the construction of the expected road, Evans and Greeley became in the meantime the market-towns and shipping-points for what was left of the colony, and therefore Green City fell into desuetude. Its site is in the vicinity of the station of Masters, on the La Salle-Julesburg division of the present Union Pacific Railroad System.

Besides these colonies, many farmer-immigrants who had migrated independently, and many others, who came in small parties, but without formal organization, entered Colorado in 1871 and '72, and settled either in the older agricultural sections or adjacent to the districts occupied by the organized new communities. Their total number greatly exceeded that of the enlisted members of the banded companies; and, as these, they "watched their hamlets, and grew strong".

Inspired by the laudable purpose of encouraging such and other desirable emigration to Colorado, the Ninth Legislative Assembly, by an act approved on February 9, 1872, made provisions for establishing a "Bureau of Immigration", which was to be conducted by a Board of Commissioners consisting of five members. "It shall be the duty of said Board", says the act, "to adopt and put in execution such means as will best promote and encourage immigration to the Territory, and for this purpose shall publish and disseminate such useful information as it can obtain concerning the developed and undeveloped resources of the Territory, and may provide for one of its number, or such other person as the Board may select, to attend such Agricultural and Institute Fairs as may be deemed expedient for the display of the Agricultural and Mineral products of the Territory". The act appropriated \$6,000 to be expended by the Board for the purposes intended, and directed the County Commissioners of each county of the Territory to co-operate with the Bureau. The Board also was authorized to

designate "agents resident in any country in Europe" to act as representatives of the Bureau "in disseminating information and encouraging emigration to the Territory".

While the intentions of the Assembly were praiseworthy, the attempts of the Bureau to put the purposes of the act into effect resulted in more harm than good. Statements made in its "advertising literature", which was sown broadcast over the older parts of the Union, were expressed in terms of extravagance and exaggeration, and therefore were misleading, as has been the case to some extent from similar representations put forth in later times. Nearly all the avenues of activity in which men may gain success and competence were implied to be wide open and easy ways for everybody who should come into the Territory. As these recitals emanated from a division of the executive branch of the Territorial Government, thousands of men, among whom there were more or less of almost every vocation, accepted them as trustworthy and removed to Colorado during the next two years. While many of these found and utilized various opportunities that the Territory afforded for the exercise of their abilities and profitable investment of their means, many others, most of whom had exhausted practically all their resources in preparing for and making the change of residence, were disappointed. The loud outcries and bitter denunciations by the latter, after they had made their way back to the localities of their former homes, were taken up and passed on by the newspapers of the States; and, without a word in relation to any of the favorable conditions in the Territory, Colorado thus was execrated as a land of deception and fraud, and heralded throughout the Union as a part of the Great West that all honest men should avoid.

Not all the new communities that were established in Colorado early in the '70s were identified with the further development of agriculture in the Territory, the most conspicuous exceptions being those of Colorado Springs and South Pueblo. The former, in one sense the offspring of the Denver & Rio Grande Railway, was born in the summer of 1871, and the latter two years afterward.

When, in 1870, General William J. Palmer organized the Denver & Rio Grande Railway Company, he had in mind several auxiliary organizations that were to be formed to coöperate with the railway company in developing the parts of Colorado through which the road was to pass; and among these was one that was to found an attractive residence city near the eastward base of Pike's Peak, to be named "Colorado Springs". For this purpose he interested some of his associates in the railway enterprise, and, late in that year, organized the "Colorado Springs Company", of which he was elected President, with Henry McAllister as Executive Director, to locate and bring into existence the projected city. The company acquired tracts of land containing about 10,000 acres, the greater part of which lay along Monument Creek and east of Colorado City, and the lesser to the west of that town and including the soda springs, which already had come into wide and good repute. Most of the land around these, as well as some parts of the tract on Monument Creek, had been "taken up" by pioneers of 1858-59, but no important improvement had been made in either of the localities, while Colorado City, situated between them, had in the meantime dwindled to a village which, in the spring of 1870, was harboring a population numbering only four score.

The first stake set in the site of the new city was driven on July 31, 1871. In that summer a subordinate organization styled the "Fountain Colony of Colorado" was formed, with General Robert A. Cameron, who had taken part in establishing the Greeley Colony, as the active executive of this adjunct to the proprietary corporation. The Fountain Colony organization was not incorporated, but served as an agency through which a part of the business—that of inducing a population—of the Colorado Springs Company was transacted. The plat of the city contained seventy blocks, each 400 by 400 feet in dimensions; but the Colorado Springs of the present time extends much beyond these. Erection of buildings immediately followed the work of the surveyors, and by the end of 1871 one hundred and fifty-nine structures, dwellings and business buildings, had been completed, at a cost of about \$160,000, the first dwelling having been commenced on August 15th. At the close of the first year, the new city contained a population that counted nearly eight hundred. In the next year, the construction of a broad driveway to the soda springs and the improvement of their locality was begun. A good hotel was erected there, and a suburban village was laid out, to which the name "La Font" was given. But this appellation soon was dropped and that of "Manitou", the present name, substituted. These improvements in connection with the soda springs were in accordance with an unusual policy that had been adopted by the Colorado Springs Company, under which all net proceeds from the sale of its land, whether in the form of town lots or adjacent larger tracts, were to be applied to public improvements. In consequence of this, the rawness of a new town did not long continue to exist in Colorado Springs. The company followed the example of the founders of Greeley as to the manufacture and sale of intoxicating liquors, and in its deeds to lots in the city inserted the "Greeley clause". Violation of this restriction presently resulted in bringing the question of its validity before the Colorado courts, and eventually the highest of these decided that such conditional deeds were valid contracts, and declared the title thus derived to the land involved in the case to have been forfeited by violation of the restrictive terms. Appeal from this judgment was taken to the Supreme Court of the United States, and in 1879 that tribunal affirmed the Colorado decision.

It would be difficult to find, or even to imagine, a situation for a city more beautiful than that occupied by Colorado Springs, and of which advantage has been taken by its people by adding embellishments that Nature so generously invited in the locality. The city's growth has been steady and substantial from the day of its founding. After the rise of Leadville, late in the '70s, it became the principal source of supplies for that district, and so continued until railway communications were opened to the famous silver-camp, the freight being forwarded by wagon-trains going by way of the Ute Pass. The development of the Cripple Creek gold-district largely was the work of citizens of Colorado Springs, in some of whom the ownership of a number of its mines still is lodged.

The first step toward founding South Pueblo, which had only the Arkansas River between it and the pioneer town of Pueblo, was taken in 1872, when the "Central Colorado Improvement Company", another of General William J. Palmer's organizations auxiliary to the Denver & Rio Grande Railway Company, purchased a large tract of land bordering upon the Arkansas River, opposite the old town, and that was a part of the Nolan land-

grant, title to which was of Mexican origin. The Denver & Rio Grande Railway having been completed to Pueblo proper by the beginning of the summer of 1872, South Pueblo was laid out and made ready for occupation early in the next year, the plat covering about one thousand acres. Shortly afterward, the terminus of the railway was shifted from the northward side of the river to the southward side, for the benefit of the new town, but much to the disgust of the citizens of the older, as well as in breach of a previous understanding, if not a contract, with them. South Pueblo was established with a view of making it a manufacturing city. While no important advance toward that end was accomplished before Colorado became a State, the original purpose has been fulfilled since that time. But from the birth of South Pueblo the old town and the new, although for thirteen years they were separate municipal corporations, practically were one community, and now, together with other additions, constitute the city of Pueblo.

A new town, that is now a flourishing city, was established in Northern Colorado coincident in time with the founding of South Pueblo, but dependent mainly on the pastoral and agricultural resources of the section in which its site lay. Early in the great Indian War in the '60s, a military post was built on the Cache a la Poudre River, at a point some four miles southeast of the village of La Porte, which dates from the pioneer years of 1858-59. This outpost was named "Fort Collins", sometimes called "Camp Collins", in honor of Lieutenant-Colonel William O. Collins, of the Eleventh Ohio Regiment of Volunteer Cavalry, an organization of which a part was among the troops that had been sent into the West to battle with the Indians, about the time when the Southern Confederacy collapsed. A large tract of fine land around the post was set apart as a military reservation, and so remained until the year 1872, when, by an act of Congress that was approved on May 15th, it was thrown open to entry. But other lands here and there in that part of Larimer County already had been occupied and put under cultivation, and of which some, that were fairly improved, were held in 1871 to be worth from thirty to forty dollars per acre. After Congress had released the reservation, General Robert A. Cameron, who seems to have been a colonizer by instinct, and, as proved by the results of his work elsewhere in the Territory, was provided with judgment to match his energetic ability, organized a company, of which he was elected President as well as general manager of its affairs, to colonize the Fort Collins locality and to found a town in it, upon a combination of the plans that had been applied at Greeley and Colorado Springs. Within a year thereafter, the beginning of the present city of Fort Collins, which stands on a portion of the old reservation, had been made and a large number of immigrants, together with previous residents in the Territory, had settled upon lands that were tributary to the embryo city. Since that time the Fort Collins District has been developed into a condition of productivity and prosperity that is comparable with that of the other agricultural sections of northern Colorado.

A considerable number of the Colorado immigrants of 1874 had suffered from the effects of the monetary panic of the previous year. But, aside from checking the construction of railways in the Territory, as I have already remarked, and as they did in all parts of the Union, and retarding some other large enterprises that required outside capital, the consequences of the financial breakdown in 1873, the direct causes of which were the over-

building of railways and a disordered currency-system, did not seriously affect Colorado. There were a few "failures" in trade, but the banks were not strained. The commercial interests as a whole were in good condition, the lode-mines were doing better than ever before, and the continued development of agriculture and stock-raising was extending its stimulating influences. However, there was a noticeable shrinkage in the values in which real estate had been held, especially in some of the towns, and which in many instances were unduly high. Nevertheless, the valuation of such property in the Territory for purposes of taxation, that had been about \$35,000,000 in 1873, was increased to nearly \$44,500,000 in 1874.

The year 1875 was made memorable in Colorado by the appearance in the Territory of inestimable myriads of the Rocky Mountain Locust, or "Hateful Grasshopper", that took possession of the plains section and literally devastated it. There had been two visitations of the kind in previous years, but in neither of these instances were the insects present in hosts so great as in 1875. The first of these occurred in the summer of 1864, and held over into the next year. The creatures were in numbers sufficiently great to work the destruction of most of such crops as then were cultivated, as well as some of the wild pasturage on the plains. Their ravages upon farms and in gardens not only deprived the local markets of important food-supplies, but otherwise had a depressing effect, as it was feared that the recurrence of such a misfortune might be frequent. The second advent, more serious than the first, was made in 1867, and with consequences that were impoverishing to the tillers of the soil. Disappearing as mysteriously as they had come, they did not again afflict the Territory until eight years had passed. Forerunning swarms of the pests, arrived, or were developed, in 1874, but not in numbers large enough to inflict very great damage. Early in the next summer, these bodies of scouts and skirmishers were followed by clouds and shoals of their kindred, the individuals of which baffled all computation. Growing vegetation vanished as they advanced, and the country was stripped of everything they could devour. They even invaded the towns, in which the streets and sidewalks were made alive with them. The destruction of millions of the insects by various methods employed for that purpose in the agricultural districts seemed to leave their aggregate undiminished and practically was ineffective in staying the destruction they were causing. The movements of railway trains upon the plains were impeded by them as they crossed the tracks, the rails being made so slippery by their crushed bodies that the locomotives whirled their driving-wheels in vain. The burden of the direct losses fell upon the agricultural interests, and were so ruinous that many of the farmers who had come into the Territory within the previous two or three years were reduced to bankruptcy. The "rear guard" of the enormous coveys that had converted verdurous fields into barren land withdrew in 1876, and since that time Colorado has not had another return of such an affliction, which, at the same time, had befallen Kansas and Nebraska with even worse consequences.

The "dull times" in Colorado in 1875 and '76 were due in the main to the losses inflicted by the grasshopper plague, and not to "effects of the panic of '73", as some writers have told. However, there was no falling back during those years. Colorado increased in population and the development of her resources was continued undismayed.

At the beginning of that decade the natural wild conditions in the part

of Colorado that we call the "Western Slope", as well as in the San Juan section, had been disturbed but little by the doings of the restless white man. As the reader has seen, some of our pioneer prospectors had entered the eastward borders of these parts in 1859 and in the early '60s, and those who escaped death from prowling squads of Ute Indians returned empty-handed. Further prospecting explorations were made beyond the divide during the next several years, but practically with no better results. By a treaty between the Federal Government and the Ute Indians effected in 1868, all that part of Colorado lying west of the 107th meridian and south of latitude 40 degrees and 15 minutes was set apart as a reservation for the exclusive use and benefit of the bands of that tribe. These boundaries embraced more than 26,000 square miles—nearly three-fourths of the Western Slope and the San Juan combined, and one-fourth of the entire domain of the Territory; or an area equal to three-fifths that of the State of Ohio. This exceedingly generous land-allowance to a comparatively small number of Indians left west of the Continental Divide only the Middle Park and what now is Routt County, together with that part of the eastern border of the Western Slope lying southward of these and east of the 107th meridian, open to occupation by the white people of the Territory; and therefore, in the face of such restrictions, but few of the latter had attempted to establish themselves upon the farther side of the main range. As late as 1872 there were but three postoffices upon the Western Slope, all of which were in the Breckenridge mining-district, while the San Juan section had none.

Although everybody was familiar with the fact that the 37th parallel was the southern boundary of Colorado, its location had not yet been marked out satisfactorily. As I have said in a previous chapter, the uncertainty as to the situation of the southern boundary line had led to the conclusion in Colorado's early years that it laid upon a course that passed a short distance north of Trinidad, thus leaving that town within the limits of New Mexico. Yet, at the same time, parts of the Rio Grande Valley that were in and even several miles below the latitude of Trinidad were included in maps of Colorado prepared by the Territory's Surveyor-General. These errors, which appear to have been due in the main to inaccurate astronomical-observations by the surveyors, and which were not amended until about the end of that decade (and then not with precision), persuaded the authorities of New Mexico formally to assert, in 1868, that their Territory included a larger part of the San Juan country than now was conceded to it.

In the autumn of 1869, a company of eight prospectors, who had made the long and risky journey from Prescott, Arizona, entered the southwestern corner of the Ute Reservation. Among these daring men was Adnah French, who had been the President of Denver City's pioneer St. Charles Town Company, and also had been one of the Colorado prospectors and miners who went into the San Juan section in 1860 and '61. It is probable that knowledge of the presence of gold in that part of Colorado that French had gained at that time had prompted the undertaking of this expedition. Passing into the valley of the Animas River late in October, the Arizonians halted at the site of old "Animas City", some cabins of which still were standing, in fair condition. After a short stay here, the adventurers decided to go to Santa Fé for the winter, and, with a full supply of provisions, together with a better outfit, to return in the next spring.

Having been encouraged and assisted by the Governor of New Mexico, who believed the southern boundary of the Ute Reservation to be located too far south, and with the consent of several Ute chieftains who had followed them into New Mexico, the Arizonians retraced their way to the Animas Valley, in April, 1870, in company with four other prospectors who had been taken into the party during the sojourn in New Mexico. In the following summer, French and two others discovered in the Baker's Park district some exceptionally rich ore in what later became known as the "Little Giant" and "Mountaineer" gold-lodes; while the rest of their associates, who had gone in a different direction, found in the valley of the Dolores River some silver-bearing mineral. The prospectors went back to Santa Fé in the autumn of that year, there to remain through the coming winter, and to prepare for returning in the next spring to develop their discoveries.

Exaggerated reports of the results of this expedition, that reached the cities, towns, and mining-districts of Colorado before the end of 1870, caused hundreds of prospectors to hurry into the San Juan section in the spring of 1871, regardless of the intended exclusiveness of the Ute Reservation. The Indians now protested against such flagrant violation of their treaty of 1868, but, restrained by the counsel of their great and intelligent chief, Ouray, did not attempt to expel the invaders by physical means. Instead of this, they appealed to the powers at Washington, which, in 1872, in response to a request from the Interior Department, sent into the San Juan a company of Regular troops to drive the prospectors and miners out of the reservation and to prevent their return. But as it was soon realized that something like an army would be required for this purpose, commissioners were appointed to treat with the Utes for their sale of a portion of their mineral lands in the southern part of their reservation. The Indians not only objected to the terms and conditions proposed by the commissioners, but were strongly disinclined further to yield to the white people, and after several fruitless councils with them the negotiations were terminated and the situation left unchanged. In consequence of this failure, the Secretary of the Interior again intervened in behalf of the Utes, and in the spring of 1873 an order was issued directing all miners, prospectors, and other white trespassers, to withdraw from the reservation before the coming of the next June. As the intruders paid no attention to the command, another body of troops was started toward the San Juan to enforce the decree. But when these were about half-way to their destination the warlike proceedings were suspended by President Grant, and members of a new commission to negotiate an amendatory treaty with the Utes were appointed. Through the influence and sagacity of Ouray, the commissioners succeeded in effecting a treaty in September, of that year, and which was ratified by the Federal Senate in the following April. The Indians relinquished about 3,000,000 acres—a wonderfully rough tract—of their territory, which cession was thrown open to the prospectors and miners in 1874 and soon was overrun by them. So began the mineral development of Colorado's section of the San Juan region.

During the early '70s there was also a revival of interest in the mineral probabilities of the section of the Western Slope which then was commonly known as the "Gunnison Country", in memory of Captain

J. W. Gunnison, who, as the reader may recall, had traversed the valley, some twenty years before, when engaged in his survey for a transcontinental railway. It is drained by the middle and upper reaches of the Gunnison River and their tributaries, and nearly the whole of it lies within the boundaries of the present Gunnison County. As in the case of the San Juan, this part of Colorado had been visited by prospectors, and by a greater number, in pioneer times. Some of these found gold in encouraging quantities in what are now known as "Taylor" and "Union" parks, and also at the site of our village of Tin Cup. A little mining was done in Union Park for that period, but the hostility of the Utes prevented the beginning of any general development of the section's natural resources until after their treaty of 1868, and then only that part of it lying east of the 107th meridian was open to occupation by white men.

In 1870, a party of seven prospectors, led by Benjamin Graham, went into the northern part of the Gunnison drainage basin, and in their search in the vicinity of the Elk Mountains, an irregular range lying in that section, they found some galena-lodes. Having concluded to remain in that locality, which was a part of the Ute Reservation, they built a cabin and protected it with a light stockade—an establishment that in some narratives of the expedition has been magnified into a "fort". Graham and his companions occupied this station and continued their prospecting round about it, but without important results, in the open seasons of the next three or four years, when a party of Utes evicted them, burned their cabin and drove them out of the reservation.

In the meantime, in 1872, some prospectors who had come from the San Juan and had crossed the Gunnison Valley found silver-bearing mineral in several places around the head of Rock Creek, a left-hand branch of the Roaring Fork of Grand River, and just beyond the summit of the divide between the drainages of the Gunnison and that Fork. Their accounts of these, as given in Denver, led to the organization in that city in the spring of 1873 of a small party for the purpose of investigating the reported discoveries, under the leadership of John Parsons. Going by way of the South Park and the Twin Lakes in Lake County, this committee returned, by the same course, to Denver, after an absence of several weeks, with satisfactory confirmation of the story that had been told by the San Juan men.

A larger company, consisting of thirty members, now was formed in Denver further to develop the discoveries. To the leadership of Parsons, that of Dr. Sylvester Richardson, who was a geologist as well as a physician, was added, with Richard Cook enlisted as metallurgist. As the company had a train of eight wagons, beside pack-animals, laden with provisions and other elements of the outfit, and also desired to obtain immunity from molestation by the Utes, a round about course by way of the South Park and the Poncha and Coochetopa passes was taken, and which led them into the Gunnison section through a southern gateway. At the Los Piños Indian Agency of that time, on Los Piños Creek, a southern upper water of the Gunnison drainage, the Indians who were there at first objected to the expedition, but through the influence of Ouray they were persuaded to consent. The party now proceeded to the site of the present town of Gunnison, and with which Richardson was so

greatly pleased that he resolved later to organize a colony to occupy it and its neighborhood, as he found it to be, by an astronomical observation he made, several miles east of the eastern boundary of the Ute Reservation. The company passed on to the head of Rock Creek and encamped at a point that was about five miles inside the reservation. Here a small smelting-furnace was set up, in which the ores of the locality were tested and found to carry very profitable values.

After a stay of about two months, the party returned to Denver, where Dr. Richardson, having been promised sufficient capital, mostly by acquaintances in Chicago, began making, together with some of his associates in the expedition, preparations for systematic mining at the head of Rock Creek, and for smelting the ore upon the ground. But the consequences of the panic in the autumn of that year (1873) defeated these plans. In later times, the mining-town of Schofield arose at the Rock Creek mines.

During the winter of 1873-74, Dr. Richardson turned his attention to his other project—that of establishing a colony on the Gunnison River; and at about the end of that season those whom he had enlisted in the enterprise, who, with himself, numbered thirty, and in the main were Denver people, organized as an incorporated body, of which the Doctor was elected President. The first group of these colonists, including the Doctor, arrived upon the ground on April 21st. The land, upon a part of which the present city of Gunnison stands, was surveyed into sections and quarter sections in the regular manner, each member of the company being entitled to one of the latter (containing 160 acres), the apportionment of which was determined by lot. Upon the tract that fell to the Doctor, he laid out a town, which he named "Gunnison City", in further honor of Captain Gunnison.

Dr. Richardson's colony did not prosper. Shortly after their arrival, some of its members abandoned their lands and took to prospecting; and in the autumn of that year all hands that were left went back to Denver. Of these, only the Doctor and two others returned to "Gunnison City" in the spring of 1875, after which they were joined by a few strangers. In the next year a new town company was organized by other interests, and which laid out a town upon land adjacent to Richardson's plat. But this also was unsuccessful, and it was not until later in that decade that the present city of Gunnison came into existence, about coincident with the formation and organization of Gunnison County. Nevertheless, Dr. Richardson's place in the history of that section of Colorado is that of its foremost pioneer.

During the late years of Territorial Government in Colorado there was some movement of people into the Middle Park, where a little placer mining had been done since the middle '60s. While that mountain valley, as well as the North Park, became parts of Grand County, formed in 1874, it is probable that the population of both did not exceed two hundred at the end of that year. Each was isolated and difficult of access, and it was not until the next decade that active development of either was begun, and this by individual immigration. As late as 1870, the only places in the Middle Park that bore names were Hamilton—a small mining-camp, Sulphur Springs—where the county seat of the present Grand County stands, and Jonesville—a place rather than a "ville"; but

none of these was of sufficient importance to be a post-office. At the same time, the North Park contained nothing in the way of a named settlement.

While the establishment of colonies and the founding of new towns in the Territory was going on, as outlined upon the pages of this chapter, the older communities also had been keeping step with the march of progress. Denver, which had 4,759 people in 1870, had in less than four years trebled its population. According to a census of the city taken in January, 1874, by city authority, the number of its people then was 14,197. The city now was a bustling metropolis, with several miles of street railway in operation, together with water-works, gas-works and other municipal conveniences. Pueblo had done equally well proportionally, and was, in general importance, as well as in the number of its people, the second city in the State. In 1875, its population, including the residents of South Pueblo, the two practically being one community, probably numbered more than 2,500; whereas in 1870 there were only 666 in that locality. Cañon City, Golden, and Boulder City had increased numerically in corresponding ratio. Colorado City had recovered much that it had lost, while the pioneer mining-towns in the Clear Creek District had regained a large measure of their former prestige. The population of the Territory, 39,864 in 1870, now was close to 100,000.

The circumstances of this period had given rise to a demand for the organization of new counties, five having been authorized by the Tenth Legislative Assembly; but in the readjustment one of the former counties was abolished. By two acts of that Assembly, that were approved on February 2, 1874, Elbert and Grand counties were formed, the area of the first having been taken from Douglas and Greenwood counties, and that of the second from Summit County. Each of these new divisions was of greater size than it is at present. Grand, as I have mentioned above, included the Middle and North parks, and extended west to Utah, above the north boundary of the Ute Reservation. Greenwood County was, as I have remarked in a former chapter, abolished at this time by Section 2, of an act, approved on February 6th, "to change the Boundaries of Bent County", and by which the part of Greenwood that had not been included in Elbert was attached to Bent; the latter and Greenwood having been established in February, 1870. By a "treble-barrelled" act of the Tenth Assembly, approved on February 10th (1874), the counties of Hinsdale, La Plata, and Rio Grande were authorized, from areas detached from Lake, Saguache, and Conejos counties.

The Eleventh (and last) Assembly added one new member to the county divisions of the Territory. By an act of this body, approved on January 31, 1876, the county of San Juan was formed, for the convenience of the mining interests, its area having been cut off from Lake, Hinsdale, and La Plata counties.

The county additions made by these two Assemblies raised the number of such divisions of the Territory to twenty-six, at which it stood when Colorado became a State.

Provisions had been made by an act of the Ninth Assembly, that was approved on February 9, 1872, for the formation of "Platte County", upon condition that the voters resident in its proposed area should, at an election to be held for the purpose, sanction the proposition. The contem-

plated new division was to cover the eastern four-fifths of pioneer Weld County—that is to say, that part of Weld “lying east of the township line between ranges 62 and 63, west of the Sixth Principal Meridian”. But as the voters did not approve the project, “Platte County” was not organized; and by act of the Tenth Assembly, approved February 9, 1874, the “enabling act” for the proposed county was repealed.

Colorado now was about to lay off her Territorial garb and to put on the more attractive habiliments of a State of the American Union. The trail she had traveled in reaching this goal had been long and rough, as the reader may see in the contents of the next chapter.



GOVERNOR JOB A. COOPER

CHAPTER XXII.

COLORADO'S ROAD TO STATEHOOD.—FIRST POTENTIAL PROPOSITION.—STATEHOOD QUESTION IN THE TERRITORY'S SECOND LEGISLATIVE ASSEMBLY.—BILLS FOR AN ENABLING ACT FOR COLORADO IN THE THIRY-SEVENTH CONGRESS.—MEMORIAL BY THE THIRD LEGISLATIVE ASSEMBLY.—ENACTMENT OF THE ENABLING LAW OF 1864.—PROCEEDINGS THEREUNDER IN COLORADO.—FAILURE OF THE CONSTITUTION TO BE RATIFIED BY THE PEOPLE.—REASONS FOR ITS DEFEAT.—STATEHOOD MOVEMENT OF 1865.—CONSTITUTION RATIFIED.—ELECTION OF STATE OFFICERS AND OF UNITED STATES SENATORS AND A REPRESENTATIVE IN CONGRESS.—PRESIDENT JOHNSON'S REFUSAL TO PROCLAIM COLORADO A STATE.—ENACTMENT BY CONGRESS OF A LAW TO RECOGNIZE THE STATEHOOD PROCEEDINGS OF 1865.—THE PRESIDENT'S VETO OF THE MEASURE.—FAILURE TO OVERRIDE THE VETO.—PASSAGE OF A SECOND BILL OF LIKE TENOR.—PROTEST BY COLORADO LEGISLATORS.—ANOTHER VETO.—THE PRESIDENT'S OBJECTIONS TO THE BILL.—QUESTION OF NEGRO SUFFRAGE IN COLORADO.—FAILURE TO OVERRIDE SECOND VETO.—STATEHOOD NOT DESIRED BY A MAJORITY OF COLORADO PEOPLE.—FURTHER FUTILE EFFORTS TO OBTAIN ADMISSION UNDER THE PROCEEDINGS OF 1865.—ATTEMPTS IN CONGRESS TO PASS NEW ENABLING BILLS.—BEGINNING OF THE END OF THE LONG SERIES OF FRUITLESS TRIALS FOR STATEHOOD.—IMPROVED CONDITIONS AND CHANGED PUBLIC SENTIMENT IN COLORADO.—PRESIDENT GRANT'S RECOMMENDATION OF COLORADO'S ADMISSION.—ENACTMENT OF THE ENABLING LAW OF 1875.—CONSTITUTIONAL CONVENTION.—ADOPTION OF A CONSTITUTION AND ORGANIZATION OF A STATE GOVERNMENT.—COLORADO ADMITTED INTO THE UNION.—INAUGURATION OF STATE OFFICERS.—TERMS OF THE GOVERNORS OF THE STATE.—COLORADO'S SENATORS AND REPRESENTATIVES IN THE FEDERAL CONGRESS.—TEXT OF THE ENABLING ACT.

The first really potential proposition to provide for Colorado's admission into our Union of States was submitted to the lower division of the Federal Congress in the spring of the year 1860. The attempt of our Pike's Peakers, in 1859, to organize the "State of Jefferson", in expectation that Congress might recognize and accept it, was, as the reader has seen, without any authorization from the National Legislature, in which is lodged the only power to warrant the formation of a State and to admit it into the Union. On May 10, 1860, when the bill to provide for establishing a Territory in the Pike's Peak country was under consideration by the House of Representatives, and which became a law late in the next February, Representative John B. Haskins, of New York, proposed to amend the bill by adding to it the following, the broad and truly democratic provisions of which were to be extended to all Territories of the United States:

*

"And be it further enacted, That whenever said Territory shall contain the requisite population for a member of Congress, to be ascertained by a census taken in pursuance of law for that purpose, it shall be lawful for the Legislature thereof to provide by law for the election of delegates to a convention to frame a constitution preliminary to admission as a State into the Union on an equal footing with the other States; which constitution shall be submitted to the legal voters of the said Territory at a fair election held in pursuance of law for that purpose, for ratification or rejection; and when ratified at the polls in the manner aforesaid, shall be trans-

mitted to Congress for acceptance. This section shall be and hereby is incorporated into and made a part of the original act in the organic act of each Territory of the United States, and shall constitute the rule of action upon which said Territories shall be permitted to form constitutions preparatory to their admission as States into the Union."

This proposed amendment, which automatically would have opened the doors for the admission of Colorado and the other Territories whenever any of them had a population sufficient to entitle it to a Representative in the Federal Congress and had framed a State Constitution in accordance with the Federal Constitution, was not permitted to become a part of the bill. However, as events proved, its presence in Colorado's organic act would not have enabled the Territory to gain admission as a State at a time earlier than that in which the change was made. In the decade of the '60s representation in Congress was based upon a ratio of 127,000 of population.

As in every Territory of the United States since the first was formed, there was in Colorado from the beginning an element, led by ambitious men who desired to attain higher place and greater power than were within reach under the Territorial system of local government, that sought an early transformation of the Territory into a State of the Union. The first movement toward effecting this purpose was instituted before the government of the Territory was a year old.

On July 10, 1862, Representative Charles F. Holly, of Boulder County, introduced into the Second Legislative Assembly, while it was stationed at Colorado City, House Bill No. 2, which was entitled "An Act to frame a Constitution and State Government for the State of Colorado". This measure proposed to provide for the formation of a State Government without authority from Congress for so doing. But its sponsors expected that in the emergency which had been precipitated by the secession of southern States the National Legislature would recognize their State after the fact and admit its Senators and Representative, who would be Union men favoring a vigorous prosecution of the war by the Federal Government, and thus strengthen the forces in Congress that were loyal to that vital policy. After its first and second readings, Holly's bill was referred to a special committee, which consisted of the bill's author, Edwin Seudder, and O. A. Whittemore. On July 17th, the committee submitted to the House a report favoring the bill's passage, signed by Holly and Seudder. While Whittemore withheld from it his signature, he did not make a minority report. The document, which is not without interest even in the present time, here follows in full:

"To the Hon. House of Representatives:

"The undersigned, your special committee, to whom was referred H. B. No. 2, introduced by Mr. Holly, for an act to provide a State government, beg leave to report that they have had the same under consideration, and are in favor of the bill, submitting for your consideration the following hasty suggestions:

"The advantages of an early State organization must be apparent to all. It will give permanency to our institutions which no other organization can do. Indeed, it is the ultimate aim of all territorial or provisional governments. Situated as we are, so remote from the seat of the national government, the 'self-government' which alone can be secured under a state of organization [a State organization], is even a necessity of our position. Our school lands must remain in abeyance, until we emerge from our present crystalline condition, and become qualified to use and dispose of them. Without a liberal common school system we cannot expect the

population which our natural resources would so well justify. The liberal appropriations made by the parent government, for that purpose, only enures to the future State, and can never be made available until its organization. Were there no other, this should be a sufficient inducement for the step now proposed.

"It will give stability to legislation. It will invite capital and population. It will add to the resources of the community. It will disseminate the advantages of education. It is demanded by the spirit of the age and the progress of the Anglo-Saxon race. It is contemplated in the workings of the National Constitution.

"The grants usually made to new States for University and Capitol purposes, will more than compensate for the loss of the meagre pittance now doled out for legislative and executive purposes.

"Experience has demonstrated that individual taxation is less under a judicious State organization than under our present one. At present, while we are exempt from few of the burdens incident to a State, we have, indeed, very few of its advantages. Taxation and representation are generally considered mutually dependent. But while we are directly taxed to aid in the support of the National government, we are most unjustly denied a representation in the National Councils, and can have no voice in its imposition. A State organization, alone, can secure us this right. A territorial form of government, for a free people, at best, must be odious, from the fact that the power which enforces the laws, as well as the power which construes them, do not emanate from the people governed and affected by them, and are not responsible to them. Our rickety form is especially so. While the odious 'veto' power is held over the right to make even our menial laws, we can be nothing but political vassals. Beneficent as is the power which governs us, yet it does not emanate directly from the governed, and its exercise, therefore, is not in harmony with the genius of our people.

"Denied the usual appropriations for territorial and capitol purposes, we are at a loss to understand what reason remains why we should not, as all other territories have done, embrace the earliest opportunity of throwing off our swaddling clothes, and assume the toga and garb of political manhood. The times invite this opportunity. It is surely consistent with the purest loyalty, that while some of the States appear to have been insanely seeking to escape from the blessings of a National government, never felt upon them except in its beneficence, the sturdy pioneers of these vast formations ["formations"—the Rocky Mountains?] shall seek, with proud eclat, to span another star of equal brilliancy, in the glorious esentcheon of the National banner.

"Nor will the want of a sufficient population be an obstacle. Already polling a larger vote than Oregon when admitted to the Union, who can question that by the time we can make application for such admission, we shall have a population equal to most of the new States at the date of their admission!

"Other things being equal, all will admit that it were preferable, that the servants of the people should be elected by them. Every citizen amenable to the law has a direct interest, not only in making the law but in designating the officer he deems best fitted to construe and execute it. Without the right to select a single Territorial Executive or judicial officer, or to remove or cancel them when selected, or even to make the local law, without revision, for a single county, is it strange that the people, who have been rocked in the cradle of free self-government, should see no reason why because they have changed their habitations from the States of the sea board, or of the Mississippi, and are now developing the resources of these central mountains and plains, and thus adding to the general resources of the whole country, since they are still American citizens, under the ægis of the American flag, they shall still endure their present colonial servitude, and shall be deprived a moment longer than necessary, of their glorious birthright of self-government transmitted to them by their illustrious ancestry.

"The details of the bill proposed we consider to be judicious. The blanks in the bill we recommend the House, in Committee of the Whole, to fill.

"Earnestly recommending the passage of the bill, we subscribe ourselves,

"Your committee,

"CHAS. F. HOLLY, Ch'n.

"EDWIN SCUDDER."

"July 17, 1862."

As the population of the Territory was waning, and the mining industry, then its principal dependence, was becoming seriously depressed, this series of able but *ex parte* arguments failed to convince the majority of the House that Statehood was Colorado's greatest necessity, and that it was "demanded by the spirit of the age and the progress of the Anglo-Saxon race". Therefore, when the bill was taken up, on July 25th, its consideration was indefinitely postponed by a vote of 14 to 9; and the measure was heard of no more. Those who voted against it did so because they believed the lowering conditions existing in the Territory forbade assumption of the financial burdens of a State Government by its people, who then numbered considerably less than 25,000.

When the Thirty-seventh Congress met in the following December (1862), in its last session, those of Colorado's citizens who advocated an immediate change from their Territorial to the State form of government appealed to that body for aid and comfort in their efforts to attain the object of their desires. On the 22d day of that month, Representative James H. Ashley, of Ohio, who was Chairman of the House Committee on Territories, introduced into the House "A Bill to enable the people of Colorado to form a constitution and State government, and for the admission of such State into the Union on an equal footing with the original States." On the same day Ashley also introduced Statehood bills for Nebraska, Utah, and Nevada. His Colorado bill, together with the three others, were given their first and second readings and then referred to the House Committee on Territories.

On January 5, 1863, Colorado's Delegate, Hiram P. Bennet, introduced into the House "A Bill to provide a State government for Colorado", which was read twice and referred to the Committee on Territories. As Ashley's bill for Colorado was given precedence, nothing further was done with Bennet's proposition.

On February 11th, the House Committee on Territories, having left Utah in the lurch, reported Ashley's bills for Colorado, Nebraska, and Nevada, which were ordered to be printed and then recommitted to that committee. On the next day the committee reported back the three Statehood bills, and its chairman asked that "Saturday week be set aside for their consideration". Representative Clement L. Vallandigham, of Ohio, objected to the assignment of any day for the consideration of the bills. "I think we had better", said he, "get back the States which are absent before we make provision for any new states". Ashley now formally reported the three bills with a recommendation that they be passed. They were again read and again recommitted to the Committee on Territories.

On this day, Senator James H. Lane, of Kansas, introduced into the Senate a Statehood bill for Colorado, the title of which was the same as that of Representative Ashley's bill; and also bills for the proposed States of Nebraska, Montana, and Nevada. The four were referred to the Senate Committee on the Territories, which, on February 20th, reported the Colorado bill, without amendment. On the 25th, Senator Lane moved to take up the Colorado bill, but failed to obtain consent. On the third day afterward, he again moved to take up the Colorado measure, but its consideration was again postponed. In a short debate that followed Lane's motion, Senator William P. Fessenden, of Maine, said:

"It is hardly worth while to pass that bill without understanding something about it. . . . There is no statement at all before the Senate in regard to the population [of Colorado] nor anything about it. Are we to make a State without any information before the Senate in regard to it? It is a very singular proceeding. We do strange things here, but this certainly ought to attract some attention. I do not know what population they have; I do not know anything about its necessity. There is no statement whatever made with reference to it."

In response to this, Senator Lane remarked:

"The settlements in Colorado have been made since the last census [?], so that she is in the same situation as California was when she was admitted. There has been no enumeration made of her inhabitants [?]. The last election [evidently meaning that for a Delegate in the Thirty-eighth Congress, in 1862] shows a vote of some twelve or twenty thousand, and after a full examination by the committee the bill was ordered to be reported with a recommendation that it pass. The people of Colorado believe that they are able to support a State government, and are desirous to have one. From the best information that the committee have, I should estimate the population of Colorado to-day at from thirty-five to fifty thousand."

Lane also mentioned that "the people [of Colorado] have taken the initiatory steps for the formation of a State government", a statement that seems to have been based upon some knowledge of the movement by a minority that was responsible for Holly's indefinitely-postponed proposition.

On March 3d, immediately after the Senate had passed the Nevada bill, which was a duplicate of that for Colorado, excepting as to name and boundaries, Senator Benjamin F. Wade, of Ohio, moved to take up Senator Lane's Colorado bill, and to which consent was given. Senator Lyman Trumbull, of Illinois, opposed the admission of Colorado, partly for the same reasons that had caused Senator Fessenden to object to the bill's consideration. The Senate had no certain general information as to the Territory's population, resources, conditions, and prospects; and beside this, Senator Trumbull thought there was "too much readiness to pass Statehood bills without due consideration". However, by unanimous consent the bill was laid aside until a later hour in the day, when it was taken up and passed by the close-shaving vote of 18 to 17. The House was at once notified that the Senate had passed Statehood bills for Colorado and Nevada, in which action the concurrence of that body was requested.

In the forenoon of March 4th, Representative Elihu B. Washburne, of Illinois, moved "to suspend the rules, for the purpose of taking from the Speaker's table the Senate bills for the organization of the States of Colorado and Nevada", and upon which question there were 65 yeas and 48 nays. As two-thirds had not voted in the affirmative, the rules were not suspended and therefore the bills were not taken up. The House adjourned *sine die* at noon of that day, leaving both Statehood measures lying upon the Speaker's table. As nothing effective had been done in the meantime with Ashley's House bills, the Statehood programme for that session had gone by the board.

But the failure caused no general disappointment in Colorado, as the greater number of the Territory's citizens still were averse to adding to their financial burdens the heavier expense of a State form of government. Yet those who favored such a change continued to advocate it, and began to prepare for another trial at Washington when the Thirty-eighth Congress should meet in its first session, in December (1863). By the elections for members of Congress in the previous autumn the dominant party's

strength in that body had been seriously impaired, and its leaders appreciated the importance of resorting to ways and means that would produce additional Senators and Representatives of their partisan faith.

Shortly after the beginning of the first session of that Congress, Statehood bills for Nebraska, Nevada, and Colorado made their appearance in the House; the Colorado bill having been introduced on December 14th by Representative Ashley, who had been reappointed Chairman of the House Committee on Territories. After their first and second readings the bills were referred to the Committee on Territories, which, on the 22d, reported back those for Nevada and Colorado. These were ordered to be printed and recommitted to that committee: with which action their history ended.

On February 8, 1864, Senator James R. Doolittle, of Wisconsin, introduced into the Senate a pair of bills to enable the people of Colorado and Nevada to form constitutions and State governments. After the usual routine readings these were referred to the Senate Committee on Territories, by which they were reported back, on February 16th, without amendment. The two were taken up and passed by the Senate on the 24th, without debate or roll-call, and unchanged excepting the adoption of a clarifying amendment relating to the grants of land to be made to Colorado.

Action upon these bills by the House was delayed until March 17th, on which day both were passed by that body, together with the House bill for Nebraska. Under the restrictions imposed by Ashley's application of the "previous question", the Nevada measure went through without debate; but he permitted some discussion of the Colorado proposal. Representative George H. Pendleton, of Ohio, wanted the latter referred to the Committee of the Whole House on the State of the Union, but Chairman Ashley could "not consent to send the bill to the toombs in that way." Representative S. S. Cox, of Ohio, desired to amend it so as to require the proposed State to have a population equal to the ratio for one Representative before the provisions of the act should become effective. Ashley met this with the statement that he understood that Colorado, as well as Nevada and Nebraska, had a population greater than that of Oregon when the latter was admitted into the Union. Notwithstanding that President Lincoln's "emancipation proclamation" had been issued more than a year before, the bills for Colorado and Nevada stipulated that the constitutional convention of each "shall provide by an ordinance, irrevocable without the consent of the United States and the people of said State, that there shall be neither slavery nor involuntary servitude in the said State, otherwise than in punishment of crimes, whereof the party shall have been duly convicted"; and the Nebraska bill carried the same inhibition, but expressed in fewer words. Representative Robert Mallory, of Kentucky, proposed to amend the Colorado bill by striking out the anti-slavery clause. Ashley consented to a vote on this, but refused the same favor to Cox's proposition. After rejection of Mallory's amendment by a vote of 86 to 17, the bill was passed without roll-call. Immediately thereafter the House bill for Nebraska also went through, and in the next month received the Senate's concurrence. The measures for Colorado and Nevada were approved by the President on March 21st, and the act for Nebraska on April 19th. However, Nevada was the only one of the three that became a State in consequence of this legislation.

The adoption of Cox's amendment long would have postponed State-

hood for Colorado under the enabling act, as the Territory had not at that time one-fifth of the required population; and even at the end of that decade had less than one-third. As to the number of Colorado's people, gross misrepresentations were made in Washington in the winter of 1863-64, the more common "estimate" thereof was put into circulation in the National Capital at that time making it "between forty-five and sixty thousand". Notwithstanding the obvious unpreparedness of the Territory for the proposed change, and also regardless of the views of a majority of the people, the Third Legislative Assembly formally indorsed the movement for Statehood. In a joint resolution, that was approved by Acting Governor Elbert on March 10, 1864, the Assembly expressed its opinions on the subject as follows:

"Whereas, We, the Legislative Assembly of Colorado Territory, believing it to be the desire and for the interest of the people of this Territory to become a State under the provisions of an Enabling act, and,

"Whereas, We believe it to be the true policy of our government to foster and encourage the development of this Territory, it being a portion of the great West, which is now fully demonstrated to be rich in mineral worth, and which is so fast growing populous and wealthy, and which has by her votes, money, and by her strong arm and blood, defended the flag of our common country on the battle field, and,

"Whereas, It seems but just that an expression of the people through us, their representatives, shall be given so as to better enable our delegate in Congress to represent our views and wishes in this regard; therefore,

"Be it resolved by the Council and House of Representatives of Colorado Territory:

"That we desire the Congress of the United States to pass an act enabling this Territory to become a State under such provisions as may be deemed just and consonant with our republican institutions.

"*2nd.* That our delegate to Congress be requested to use all honorable endeavors to accomplish such action, and that copies of these resolutions be forwarded by the Secretary of the Territory to the President, and each presiding officer of Congress, and to the Hon. H. P. Bennett."

The enabling act for Colorado, which was nearing its birth at the time the foregoing joint resolution was approved, required the Governor of the Territory to order, by proclamation, on or before the first Monday in the following May, an election of representatives to a convention to form a State constitution, and who in number were to be equal to that of the members of both branches of the Territorial Legislative Assembly, which was thirty-nine. These representatives were to meet at the capital of the Territory on the first Monday in July, of that year: and the result of their labors was to be submitted to the people of the territory, for their ratification or rejection, on the second Tuesday of the ensuing October. But by an act of Congress, approved on June 15th, supplementary to the enabling act, the time of voting on the constitution which should be proposed was changed to the second Tuesday in September, in compliance with the desires of Colorado's advocates of Statehood.

On April 8th, Governor Evans, who had returned a few days before from his long sojourn at Washington, where he had assisted in promoting the passage of the enabling act, issued a proclamation in which he appointed the first Monday in June as the day on which elections for members of the Constitutional Convention should be held. The representatives thus chosen met at Golden City, then the capital, on the day specified in the

enabling act, and after having elected O. A. Whittemore to be President of the convention adjourned to Denver, where E. M. Ashley was chosen Secretary, and where the work of framing the constitution was completed on the 11th day of July.

The promoters of the movement were so confident that the constitution would be ratified by the people that an "Executive Committee" representing them now issued a call to "all Union men" of the Territory to elect delegates to a convention, to be held in Denver on the second day of the next month, to nominate candidates for State offices, and one for Representative in Congress. It was generally understood and agreed among the Statehood element that Governor Evans and Henry M. Teller should be elected United States Senators from the anticipated new State by its Legislature. The convention, which was duly held on August 2d, nominated a full State ticket, with Henry D. Towne as the candidate for Governor. It also nominated three Presidential Electors, and, with great enthusiasm, made Colonel J. M. Chivington, who was a politician as well as a warrior, its candidate for Representative in Congress. Towne having declined his nomination, the "Union Executive Committee" appointed Daniel Witter in his stead.

But all this had been done without a proper reckoning with the sentiments and intentions of a large majority of the people. In the brief interval between the adjournment of the Constitutional Convention and the day appointed for the vote on the document it had fabricated, there was waged a campaign that, in bitterness, acrimony, and unscrupulousness on both sides, never was equalled in any other political contest during Colorado's Territorial period, which, in its public affairs, from beginning to end, was characterized in the main by a stormy type of politics. Support of the Statehood programme was almost entirely confined to Arapahoe County—to Denver, but even there the people were divided on the question—about half and half. At the election on the second Tuesday in September, the constitution was rejected by an overwhelming majority, and the depletion of the Territory's population was plainly revealed by the figures of the returns. In a total of 6,192 votes there were 1,520 for the constitution and 4,672 against it: an adverse majority of 3,152. The State ticket nominated on August 2d also was submitted to the voters on the same day, and went down with the wreck of the Statehood movement.

The principal reason for the constitution's rejection was the financial inability of the people to sustain a State Government without undue sacrifices. But there were some citizens who also objected to the constitution's denial of suffrage to negroes. The Territory's organic act had confined the right to vote at the initial election to "white male citizens"; the Legislative Assemblies had confirmed and continued this restriction as to "a negro or a mulatto"; and the constitution had provided for its perpetuation.

However, the swamping defeat did not dismay or disintegrate the forces that were striving for Statehood for Colorado; and it is evident that it was at their instance that an effort was made in the second session of the Thirty-eighth Congress again to enact a law to enable the Territory to become a State. On December 19, 1864, Senator Lane, a steadfast friend, introduced into the Senate "A Bill to enable the people of Colorado to form a constitution and State government", and so forth: and which was the only one for that purpose that appeared in either chamber during that session. It

went by the usual course into the keeping of the Senate Committee on the Territories, in whose hands it remained dormant until February 22d, on which day it was reported back from that committee, with an amendment. Lane then asked for its immediate consideration, to which Senator Henry Wilson interposed an objection, and therefore the bill was laid over. As the session was nearing its end, and as interest and attention everywhere largely was absorbed by the tottering Southern Confederacy, which then was crumbling to its fall, Senator Lane's bill to give Colorado another opportunity to get into the Union at an early day was heard of no more.

Although a large majority of the people of the Territory then were opposed to negro suffrage, a much larger majority, including Hiram P. Bennet, their Delegate in Congress, favored the abolition of slavery in the Union. This sentiment was reflected in the action of Delegate Bennet, who headed a written resolution signed by the Delegates from all the Territories and submitted to the House of Representatives on February 1, 1865, approving the proposition so to amend the National Constitution as forever to prohibit slavery upon soil of the United States.

Notwithstanding that Senator Lane's effort to procure a new enabling act for Colorado was an open and distinct recognition of the fact that the previous act now had been rendered impotent by the people's rejection of the constitution that had been formed under its provisions, and although the Indian war was overclouding the central plains, the managers of the movement prematurely to attain Statehood for the Territory resumed active operations late in the spring of 1865. The basis of their programme was their assertion and pretended belief that the enabling act of March, 1864, still was effective, and therefore, notwithstanding that it had appointed certain days in the year 1864 on which certain of the proceedings should occur, without alternative, that further trials lawfully could be made under its authorizations. But in reality they depended on the probability, in the event of a Constitution and State Government having been otherwise duly formed and ratified, that Congress would recognize and admit the State regardless of the specifications as to dates contained in that act.

But some reasons more valid were advanced in support of the movement. Among these was the prospect that the Territory would receive an early and large immigration, now that the Civil War was over and that many of the men who had constituted the great armies that had been engaged in it would establish themselves in the West upon their return to the life and ways of peace; and another was the influence that two Senators and a Representative in Congress could exert in behalf of legislation that should require the Union Pacific Railroad Company to locate and construct its road by way of a route through the central section of the Territory—a course upon which it should have been built.

The leaders of the political divisions among the people of the Territory had come together; the former rivalries and animosities were to be buried—for the time; and the fresh attempt to attain Statehood was to be non-partisan, the work of a union of hearts and of hands, a spontaneous and harmonious action of and by and for the people. But it was sharply understood among these leaders that the political truce was to terminate in the evening of the day on which the people should vote upon the work of the proposed Constitutional Convention.

The executive committees of the parties joined in a call, issued on July

19th, for a Constitutional Convention, to be held in Denver, on the 8th day of the next month, and directed that delegates thereto be chosen upon a non-partisan basis in each county. Delegates from twelve of the seventeen counties assembled in Denver on August 8th, the counties of El Paso, Pueblo, Huerfano, Costilla, and Conejos, which contained not far from one-third of the Territory's population, being unrepresented. Nevertheless, those present organized the convention by electing W. A. H. Loveland President of the body, and W. D. Anthony Secretary, and then began their labors. Having adopted a resolution declaring the expediency of instituting the State form of government in Colorado and complied with the preliminaries required by the enabling act of 1864, they turned to the constitution, of which they made a short job, completing it on August 12th, the fourth day thereafter. The document substantially was the same as the constitution of the previous year, and likewise denied suffrage to negroes and mulattoes. September 5th, the first Tuesday in that month, was appointed as the day on which the people should vote to accept or reject the revamped constitution.

While rather a general campaign in favor of ratification was made, and without meeting with much open opposition, there was a strong undercurrent against the whole proposition, especially in the southern section of the Territory, and which was given expression on the day of voting, although some of the people in the southern parts did not participate in the election. According to the returns, the total number of votes cast was 5,895, of which 3,025 were in the affirmative and 2,870 in the negative, leaving a ratification majority of 155. However, it was openly alleged soon thereafter that this showing had not been based entirely upon the contents of the ballot-boxes, and that a large number of the affirmative votes—more than that of the nominal majority—had been the result of political handiwork employed to meet and overcome the emergency.

In a formal written statement made and sent to Washington at the end of that year by Henry C. Leech, President of the Council division of the Territorial Legislative Assembly, he averred that "the convention which had framed the constitution was not elected by the people, being simply delegates appointed by caucuses ordered by political parties"; that "the Constitution was submitted to the people without the safeguards and protection of law, one week in advance of the annual Territorial election", for the reason, as "publicly asserted, that if submitted on the same day 'the people would vote it down'": that "information that the constitution was to be voted on did not reach the county of Conejos until ten o'clock on the morning of the election": that "none of the provisions of the enabling act of 1864 were complied with, except the submission of the constitution to the people, and this was done without the authority and protection of law"; and that the vote on the constitution "was obtained by a union of politicians of all parties and the support of all the newspapers of the Territory, there being no organized opposition, and no protection of law from fraudulent voting".

But however all this may have been, the face of the returns gave a small majority for the constitution, as we have seen: and the party leaders now prepared for a resumption of hostilities. Calls were issued for the election of delegates to conventions to nominate candidates for the State offices and for Representative in Congress, and which were duly held. The Republicans, or, as they styled themselves, "Union Administration" men,

nominated George M. Chilcott for Representative, and a full State ticket with ex-Governor William Gilpin as their candidate for Governor. The Democrats did likewise, excepting their omission of candidates for places upon the Supreme Bench, with William Craig for Governor, and D. D. Belden for Representative in Congress. I have mentioned in a former chapter that "the Sand Creek affair" became an "issue" in this political movement. In consequence thereof, those who regarded its approval and vindication as a cardinal duty put forth a third State ticket, headed by Edwin Scudder, and with George M. Chilcott, the "Union Administration" candidate, for Representative in Congress. Nominations of candidates for membership in the State Legislature were made by the Republicans and the Democrats in the several counties, the choice of these being a matter of much interest, as two United States Senators were to be elected by that body when it should convene.

In accordance with a provision of the constitution, the election was held on November 14th, and resulted in a victory for the "Union Administration", or Republican, party, which elected its State ticket, its candidate for Representative in Congress, and a majority of the members of the Legislature.

In the statement by Henry C. Leech, from which I have quoted above, he said that "the election for State officers in November was without authority or protection of law, and large frauds were perpetrated, the entire vote of the first ward in Denver being declared fraudulent by the canvassers": and that "fifty-eight voters in the county of Summit elected two representatives and one Senator to the 'State Legislature'".

The members-elect of the State Legislature met at Golden City on December 18th, and went through the forms of organizing. But after electing Jerome B. Chaffee and John Evans (the latter having, in the previous October, quit the office of Governor of the Territory,) United States Senators from the supposed new State, they adjourned to await further events.

Many of the Colorado people believed that the Territorial Government now was extinct, but Governor Cummings, who had succeeded Evans, and was hostile to the Statehood movement, knowing that that was not yet the case, held the organization together, and he and the minor Territorial executives continued to exercise the functions of their offices. Moreover, an election for members of the Territorial Legislative Assembly had been held on September 12th, in due accordance with Territorial law.

Armed with credentials of their election and other documents in support thereof, Senators Evans and Chaffee, together with Representative Chilcott, promptly proceeded to Washington, in expectation of an immediate recognition of the State Government of Colorado and of their admission into the National Legislature in which, as attested by their commissions, they were entitled to seats. Upon their arrival at the National Capital, the two Senators sent to President Johnson a written recital of the Statehood proceedings in Colorado, which, among other things, had resulted in their election to the United States Senate; and requested him to issue a proclamation declaring Colorado now to be a State of the Union. The President refused to comply, for the reason that appears in the following:

“Washington, D. C., January 12, 1866.”

“*To the Senate and House of Representatives:*

“I transmit herewith a communication addressed to me by Messrs. John Evans and J. B. Chaffee as ‘United States Senators elect from the State of Colorado,’ together with the accompanying documents.

“Under authority of the act of Congress approved on the 21st day of March, 1864, the people of Colorado, through a convention, formed a constitution making provision for a State government, which, when submitted to the qualified voters of the Territory, was rejected.

“In the summer of 1865 a second convention was called by the executive committees of the several political parties in the Territory, which assembled at Denver on the 8th of August, 1865. On the 12th of that month this convention adopted a State constitution, which was submitted to the people on the 5th of September, 1865, and ratified by a majority of 155 of the qualified voters. The proceedings in the second instance for the formation of a State government having differed in time and mode from those specified in the act of March 21, 1864, I have declined to issue the proclamation for which provision is made in the fifth section of the law, and therefore submit the question for the consideration and further action of Congress.”

“ANDREW JOHNSON.”

This message, as well as its purport, had been anticipated, for, on the same day and immediately after its reading, Senator William M. Stewart, of the new State of Nevada, asked and received unanimous consent “to introduce a bill for the admission of Colorado, of which no notice has been given”. This measure was not a bill to enable the people of Colorado to form a constitution and State government, and so forth, but one for “the admission of the State of Colorado into the Union”, under the proceedings in the Territory in the last half of the previous year, which were to “be accepted, ratified, and confirmed”, thus recognizing these as having effected the organization of the State. After its formal readings, the bill was referred to the Senate Committee on the Territories, which, on the 18th of that month, reported it back without amendment. On the 20th, at Senator Stewart’s request, it was made the special order for the 24th.

On January 22d, Colorado’s Delegate, A. A. Bradford, introduced into the House “A Bill to provide for the admission of Colorado as a State into the Union”, and which, as in the case of Senator Stewart’s, assumed that otherwise the State of Colorado now was in existence. Bradford’s bill went to the House Committee on Territories, but was not reported back.

Notwithstanding its assignment as the special order for January 24th, Senator Stewart’s bill was not taken up by the Senate for consideration until March 7th, when, after some discussion, its further consideration was postponed to the 12th. On that day a formidable opposition to its passage, led by Senator Charles Sumner, of Massachusetts, was developed, and after a debate of considerable length the bill was laid aside until the morrow, when, having been the subject of a long discussion, in which negro suffrage (denied by the Colorado Constitution of 1864, as well as by that of 1865,) figured conspicuously, the Senate rejected the bill by a vote of 21 to 15.

This was a grievous disappointment to Colorado’s leaders in the Statehood movement; but, after some delay, the senatorial friends of the measure succeeded in having it revived. On April 17th (1866), Senator Henry Wilson, of Massachusetts, who had previously entered a motion to reconsider the vote on the bill, obtained consent thereto. The motion was debated on the 19th, 24th and 25th, and the whole ground again hoed over.

But on the 25th it was agreed to by a vote of 19 to 13, seventeen Senators being absent, and then the measure was passed by the same vote. The bill now went to the House, by which, under the restraints of the "previous question", it was passed, without amendment, on May 3d, by 81 to 57, forty-seven members not voting.

The relations between President Johnson and Congress already had become strained, and the executive and legislative divisions were obstructing each other's policies. On May 15th, the President vetoed the Colorado bill, giving various reasons for this action, but ignoring the subject of negro suffrage. From "the best information" he had "been able to obtain" he did "not consider the establishment of a State government at present necessary for the welfare of the people of Colorado", and stated why he thought it to be to their advantage, financially and otherwise, longer to continue under the Territorial form; "the population", which, as we have seen in Chapter XX, was, according to the Territorial census made late in the spring of that year, 27,931, "is small, some estimating it as low as 25,000, while advocates of the bill reckon the number at from 35,000 to 40,000 souls": "the people are principally recent settlers, many of whom are understood to be ready for removal to other mining districts beyond the limits of the Territory if circumstances shall render them more inviting"; it had not been "satisfactorily established that a majority of the citizens of Colorado desire or are prepared for an exchange of a Territorial for a State government"; they had rejected, in 1864, a proposition therefor by a large majority; another, submitted to them early in the autumn of the following year, "without any legal authority", had been favored by a majority of 155, but it "did not seem entirely safe to receive this, the last-mentioned, result, so irregularly obtained, as sufficient to outweigh the one which had been legally obtained in the first election", for "regularity and conformity to law are essential to the preservation of order and stable government, and should, as far as practicable, always be observed in the formation of new States"; it appeared "to be incompatible with the public interests of the country" and unfair to the older States to admit Colorado with so small a population, as the State would have two Senators and a Representative in Congress, and also three votes in the Electoral College; according to the number of votes cast at successive elections since the formation of the Territory, "Colorado, instead of increasing, has declined in population", which the President regretted, but thought it manifestly "due to emigration which is going on from that Territory into other regions within the limits of the United States, which either are in fact or are believed by the inhabitants of Colorado to be richer in mineral wealth and agricultural resources"; although Congress had supposed early in 1864 "that the condition in the Territory was such as to warrant its admission as a State, the result of two years' experience shows that every reason which existed for the institution of a Territorial instead of a State government in Colorado at its first organization still continues in force": and finally—

"The condition of the Union at the present moment is calculated to inspire caution in regard to the admission of new States. Eleven of the old States have been for some time, and still remain, unrepresented in Congress. It is a common interest of all the States, as well those represented as those unrepresented, that the integrity and harmony of the Union should be restored as completely as possible, so that all those who are expected to bear the burdens of the Federal Government shall be consulted

concerning the admission of new States; and that in the meantime no new State shall be prematurely and unnecessarily admitted to a participation in the political power which the Federal Government wields, not for the benefit of any individual State or section, but for the common safety, welfare, and happiness of the whole country."

It has been said by some writers on this subject that President Johnson's veto of this bill was due to the refusal of Senators-elect Evans and Chaffee to vote against his impeachment, should they be seated; but this is obviously untrue. The House, not the Senate, is the division of Congress that is empowered to impeach a President, acting in the matter after the manner of a grand jury's procedure; while the Senate sits in the case as a trial jury and renders the verdict. Moreover, President Johnson was not at that time threatened with impeachment. It was not until the second winter thereafter that the infamy of impeaching him was undertaken and consummated.

As the vetoed bill had originated in the Senate, it was the function of that division of Congress to initiate action for passing it over the President's veto, if such a procedure should be attempted. Senators-elect Evans and Chaffee were unanimously of the opinion that the President's objections should not be permitted to prevent the admission of Colorado. But the Senate took no action in the matter until May 21st, when a motion to take up the bill for passage over the veto resulted in making its consideration a special order for the 29th. But on that day the subject was given a second postponement; and as the motion was not again called up, that session of Congress left the proposition to override the veto hanging in the air, where it yet remains.

At least one-half, and probably two-thirds, of the citizens of Colorado welcomed the failure of this movement. These knew and held that the conditions in the Territory still were such as to render Statehood premature and a most imprudent thing to undertake—that the people were unable, with justice to themselves, to shoulder and carry the burden of a State Government. While those who constituted the conservative element were not in love with the Territorial system, they preferred for the present to endure its evils rather than to invite others that most probably would be harder to bear.

However, the Statehood forces did not give up, but kept their armor on; and when Congress met in the following December (1866) they renewed their efforts to have the Territory changed into a State. On the 10th of that month, in their behalf, Senator Benjamin F. Wade obtained the unanimous consent of the Senate to introduce a bill "to admit the State of Colorado into the Union". As in the case of the vetoed bill, which had the same title, the new measure assumed that such a State had been duly formed. The bill was referred to the Committee on the Territories, which, on the next day, reported it back without amendment. One of the Senators now questioned the need for such a bill, and proposed to take up for action the one that had been vetoed. But as there were some Senators who might favor a new measure and yet surely would not vote to override the President's veto, Senator Wade stuck to his programme, which he pressed to an early conclusion.

The bill was taken up by the Senate on January 9th (1867) and discussed at length; and after the adoption of an amendment making it "a fundamental and perpetual condition" that the State of Colorado should

not deny or abridge "the elective franchise or any other right by reason of race or color, excepting Indians not taxed", the bill was passed by a vote of 23 to 11; eighteen Senators being absent. The measure was passed by the House on January 15th, by 90 yeas to 60 nays (forty-one members not voting), after the following had been added to the suffrage-clause:

"The Legislature of said State by a solemn act shall declare the assent of said State to the said fundamental conditions, and shall transmit to the President of the United States an authentic copy of said act, upon the receipt whereof the President, by proclamation, shall forthwith announce the fact, whereupon said fundamental conditions shall be held as part of the organic law of the State, and thereupon, without any further proceeding on the part of Congress, the admission of said State into the Union shall be considered complete. The State Legislature shall be convened by the Governor, within thirty days after the passage of this act, to act upon the conditions submitted herein."

The House amendment was concurred in by the Senate on January 16th; and the bill now required only the President's approval to make it a law.

Public opinion in Colorado as to the expediency of Statehood had remained as it was in the previous year, and was fairly exemplified by the sentiment among the members of the Territorial Legislative Assembly (the Sixth). A majority of the Council, which had the smaller membership, favored the present movement; but a majority of the House opposed it. While the Council gave the proposition no formal indorsement, the House, on January 8th (1867) adopted the following preamble and resolution:

"Whereas, It is announced in the public prints that it is the intention of Congress to admit Colorado as a State into the Union; therefore

"Resolved by the House of Representatives of the Territory, That, representing, as we do, the last and only legal expression of public opinion on this question, we earnestly protest against the passage of a law admitting the State without first having the question submitted to a vote of the people, for the reasons, first, that we have a right to a voice in the selection of the character of our government; second, that we have not a sufficient population to support the expense of a State government. For these reasons we trust that Congress will not force upon us a government against our will."

President Johnson now added another to the fast-increasing number of his vetoes. On January 28th he returned the Colorado bill to the Senate, and in a long message stated the reasons why he could not, consistently with his sense of duty, give it his approval. First among these was that, with the exception of an additional section, containing new provisions, it was "substantially the same as the bill of a similar title passed by Congress during the last session, submitted to the President for his approval, returned with the objections contained in a message bearing date the 15th of May last, and yet awaiting the reconsideration of the Senate". Now, "having carefully again considered the subject", he was "unable to perceive any reason for changing the opinions which have already been communicated to Congress", but had found, "on the contrary, that there are many objections to the proposed legislation" of which he was not aware in the previous May; and that while several of those which he then had assigned had in the interval "gained in strength, yet others had been created by the altered character of the measure now submitted".

"The constitution [that of 1865] under which the State government is proposed to be formed very properly contains a provision that all laws in force at the time of its adoption and the admission of the State into the Union shall continue

as if the constitution had not been adopted. Among these laws is one absolutely prohibiting negroes and mulattoes from voting. At the recent session of the Territorial legislature a bill for the repeal of this law, introduced into the council, was almost unanimously rejected; and at the very time when Congress was engaged in enacting the bill now under consideration the legislature passed an act excluding negroes and mulattoes from the right to sit as jurors. This bill was vetoed by the Governor of the Territory, who held that by the laws of the United States negroes and mulattoes are citizens, and subject to the duties, as well as entitled to the rights, of citizenship. The bill, however, was passed, the objections of the Governor to the contrary notwithstanding, and is now a law of the Territory. Yet in the bill now before me, by which it is proposed to admit the Territory as a State, it is provided that 'there shall be no denial of the elective franchise or any other rights to any person by reason of race or color, excepting Indians not taxed.'

"The incongruity thus exhibited between the legislation of Congress and that of the Territory, taken in connection with the protest against the admission of the State hereinafter referred to, would seem clearly to indicate the impolicy and injustice of the proposed enactment.

"It might, indeed, be a subject of grave inquiry, and doubtless will result in such inquiry if this bill becomes a law, whether it does not attempt to exercise a power not conferred upon Congress by the Federal Constitution. That instrument simply declares that Congress may admit new States into the Union. It nowhere says that Congress may make new States for the purpose of admitting them into the Union or for any other purpose; and yet this bill is as clear an attempt to make the institutions as any in which the people themselves could engage."

The President now quoted the resolution adopted by the lower branch of Colorado's Legislative Assembly on the 8th of that month, and then turned to the subject of the Territory's population, which, in his veto of the previous bill, he had assumed to be not more than 30,000. He had ascertained from the report of the Territorial census made in 1866, upon which he dwelt at some length, that the total number was less than 28,000. He remarked that this enumeration was made in a season "when it is claimed that the population is much larger than at any other period, as in the autumn miners in large numbers leave their work and return to the East with the results of their summer enterprise". Thus, as would be observed, the population was "but slightly in excess of one-fifth of the number required as the basis of representation for a single Congressional district in any of the States—the number being 127,000". He was "unable to perceive any good reason for such great disparity in the right of representation, giving, as it would, to the people of Colorado not only this vast advantage in the House of Representatives, but an equality in the Senate, where the other States are represented by millions," and said that "with perhaps a single exception, no such inequality as this has ever before been attempted". He knew that "it is claimed that the population of the different States at the time of their admission has varied at different periods", but it had "not varied much more than the population of each decade and the corresponding basis of representation for the different periods". It was his belief that it was the obvious intent of the Federal Constitution that no State should be admitted with a less population than the ratio for a Representative at the time of application. Although Congress had admitted States with less than that population, no application for admission ever had been entertained when the number, as officially enumerated, was below 30,000. He could see "no reason for the admission of Colorado that would not apply with equal force to every other Territory now organized". The enabling act of 1864 had, he said, been passed in consequence of representations that the population of Colo-

rado then was, according to some statements, as great as 80,000, and according to others, not less than 50,000, and was increasing rapidly. "These", he remarked, "proved to be fallacious". Beside the incongruities between the legislation by Congress and that of the Territorial Assembly, the present aversion of a large part of the Colorado people to a State Government, and the paucity of population, there were still other reasons for objecting to the bill. The President held that by their rejection of the State Constitution of 1864, the people of the Territory had utterly exhausted all power authorized by the enabling act of that year. Therefore, as there had been no subsequent enabling act, the proceedings in the Territory in 1865—the formation of a Constitution, its submission to the people, its alleged ratification by them, the election of State officers and members of a Legislature, of a Representative in Congress, and the choice of United States Senators, all of which now was to be recognized as valid—were absolutely null and void. Aside from the choice of United States Senators, the State Government never had exercised any of the functions of such an organization, and some of the men who had been elected to office in it had departed from the Territory. Yet the bill under consideration proposed to use parts of this illegitimate structure in rehabilitating the whole and otherwise to give effect to the purposes of the measure. In the accomplishment of this the "Governor-elect" was to take the lead. But, in the President's opinion, as a matter of law, there was no one, in Colorado or elsewhere, authorized to act pursuant to these provisions of the bill. The "Governor-elect" and all others who professed lawfully to have been elected to office in the course of the proceedings in 1865 still were private citizens.

It has been said, as of his veto of the predecessor bill, that President Johnson would have approved the second measure had the Colorado Senators-elect pledged him their support in the matter of his impeachment and trial "for high crimes and misdemeanors". But this, as in the other case, has no support in the facts, as there was no serious intention entertained at that time to attempt to remove him from office. The alleged offenses for which he was later brought to the bar of the Senate were not committed until January, 1868. However, he may have been influenced to some extent by a preference to prevent the incoming of Senators not in sympathy with his policy for the "reconstruction" of the Southern States. But even so, he was not attempting to go beyond the limit which the partisan majority in Congress, upon the other hand, already had reached in that kind of politics.

By a measure that had been enacted about two weeks before, and which by lapse had become a law without the President's approval, Congress had provided—

"that from and after the passage of this act, there shall be no denial of the elective franchise in any of the Territories of the United States, now, or hereafter to be, organized, to any citizen thereof, on account of race, color, or previous condition of servitude; and all acts or parts of acts, either of Congress or Legislative Assemblies of said Territories, inconsistent with the provisions of this act, are hereby declared null and void."

The Senate took no definite action on the vetoed bill for Colorado until March 1st, the third day before the expiration of the term of that Congress (the Thirty-ninth), when, on the question, "shall the bill pass,

the objections of the President to the contrary notwithstanding", the vote was 29 yeas to 19 nays; four Senators being absent. As thirty-two affirmative votes—two-thirds—were required for the passage of the bill over the veto, the effort thus to make it a law had failed. On the same day, a similar bill for Nebraska, and to which the President also had objected, was passed over the veto by both Senate and House and so became a law, under which that Territory entered the Union as a State three days afterward.

However, our advocates of early and still premature Statehood abandoned neither hope nor activity, but turned to the Fortieth Congress, the first session of which, in accordance with a new "act to fix the times of the regular meetings of Congress", approved on the 22d of the previous January, began on March 4th (1867), at the moment the last session of the Thirty-ninth ended. Two days later, Senator James Harlan, of Iowa, introduced into the Senate a bill "to admit the State of Colorado into the Union", which practically was a duplicate of the recently-vetoed bill, including the suffrage clause. It was ordered to be laid upon the table, where it remained until March 13th, when, at Harlan's instance, it was taken up and referred to the Committee on the Territories, which reported it back on the 20th, without amendment. This ended its record in the first session of that Congress, during which, it may be remarked here, no Statehood measure for Colorado appeared in the House.

The second session of the Fortieth was well advanced before anything further was done in the direction of making our Territory a State. On February 5, 1868, Senator Alexander Ramsey, of Minnesota, submitted an amendment intended to be proposed by him to Harlan's bill, should the latter come up for consideration. On the 12th of that month, Senator Richard Yates, of Illinois, reported from the Committee on the Territories the Harlan bill, with an amendment; but no action then was taken upon it. The impeachment and trial of the President now followed, and the attention of Congress largely was centered upon the proceedings until early in May. On June 17th, Senator Yates, from the Committee on the Territories, submitted an additional report on the Harlan bill, and on the 20th moved that the Senate proceed to its consideration. Of an important change now proposed to be made in it, which involved the abandonment of its original purpose "to admit the State of Colorado" immediately, and as had been that of the two vetoed bills, Senator Yates said:

"I wish to say to the Senate in relation to this bill that the committee have again had it under consideration and have reported it back with amendments, to which nobody will object, to refer the whole matter back to the people, and the State is only to be admitted on the condition that it adopts the fourteenth amendment to the [Federal] Constitution. I am sure in its present shape there will not be any objection to the passage of the bill. . . . This is a compromise bill to which there is no objection, I believe, from anybody in the Territory. It simply proposes to refer the matter back to the people."

Another Senator said "the bill is now merely an enabling act, and I think there can be no objection to it". But it was not merely an enabling act. It proposed to eliminate a constitutional convention by retaining the Constitution of 1865, and under it to rehabilitate the State Government by an election by the people of "members of the Legislature and of State officers to fill the places of all whose terms of office shall have expired under

said constitution", and provided that "all the officers so elected shall continue in office until the commencement of the next constitutional term of their offices respectively." All the preliminary proceedings were to be ordered and directed by the Governor of the Territory, instead of the "Governor-elect" of the State—as had been the plan of the last of the vetoed bills. The Senators-elect were to be ignored, and it was further provided—

"that before being admitted to representation in Congress, the Legislature so elected and convened shall ratify the amendment to the Constitution of the United States known as the fourteenth article, and also the fundamental condition herein proposed [no denial of suffrage, by reason of race or color]; and in case said Legislature shall refuse to ratify said amendment and said condition this act shall be null and void".

The friends of Statehood for Colorado now thought the prospects for the passage of the bill to be "extremely favorable", but there still was no material change of sentiment on the subject among the people of the Territory at large, nor was there more than a languid interest in the matter manifested in the Senate. The measure and the proposed amendment were not considered by that body until June 22d, when, after some debate, they were laid aside. The bill was taken up again on the 27th, when it was discussed at greater length and two or three minor amendments were adopted. But the "morning hour" now having expired the Senate turned to other business, and further consideration of the bill never was attempted.

The principal objection that had been raised against its passage was, as before, based upon the insufficiency of the Territory's population. This had been represented now to be between 75,000 and 100,000; an increase of from 45,000 to 75,000 since the Territorial census taken two years previously. But the Senators largely discounted these "estimates". As the reader will recall, the Federal census two years later made the number at that time a trifle under 40,000.

As it was expected that the Harlan bill, or another in its stead, would become a law during the third—and last—session of the Fortieth Congress, Senators-elect Evans and Chaffee, professing a desire to clear the field for a new and more concerted campaign, publicly renounced and resigned all claims upon the Colorado senatorships, and pledged their further and hearty coöperation in any movement for Statehood that the people should undertake.

But no strongly-supported effort to obtain Colorado's admission was made in the last session of the Fortieth Congress (December 7, 1868—March 4, 1869,) nor during the entire term of Forty-first Congress, (March 4, 1869—March 4, 1871). On January 11, 1869, George M. Chilcott, the Territory's Delegate, introduced into the House a bill to enable the people of Colorado to form a constitution and State government, and that went to the House Committee on Territories, in the hands of which it died of inanimation. Four days later, Senator Yates introduced into the Senate a bill for the same purpose. After its formal readings, with an order to print, it was referred to the Senate Committee on the Territories—and was heard of no more. As all former proceedings to make Colorado a State now had been abandoned, these bills contemplated a new constitution and an entirely new deal in the matter. During the first and second sessions

of the Forty-first Congress no Statehood measure for Colorado appeared in either of its divisions: but in the third (December 5, 1870—March 4, 1871) two were produced. On December 12th, Delegate A. A. Bradford, who had succeeded Chilcott, introduced into the House a bill for an enabling act, which passed into oblivion by the same course that Chilcott's had taken. On the 19th of that month, Senator James W. Nye, of Nevada, laid a like bill before the Senate, and which was referred to the Committee on the Territories. This committee reported it back without amendment and with "accompanying papers". But the Senate gave the bill no further attention.

Throughout the term of the Forty-second Congress (March 4, 1871—March 4, 1873) the Senate was barren of enabling bills for Colorado, but it was not so with the House in the first and the third session. Mr. Chaffee now had advanced or retrograded, as the reader may prefer, from a nominal senatorship to a real delegateship, and was representing our Territory in that Congress. Early in the first session, he introduced into the House an enabling bill for his constituents, and which went to the House Committee on Territories, but did not return. Soon after the beginning of the third session, Delegate Chaffee introduced another enabling bill, which, on January 9, 1873, was reported back to the House by the Committee on Territories, with a recommendation that it be passed. Mr. Chaffee made an able and persistent effort to procure its passage, but success was denied him. The bill was taken up by the House for consideration and was discussed on several days in that month, but finally, on the 29th, it was ordered to be laid upon the table, by a vote of 117 to 61; sixty-four members not voting. The bill remained upon the table until its life went out, on the 4th of the ensuing March.

However, this failure was followed by the beginning of the end of the long series of fruitless trials to transform Colorado from a Territory into a State. Mr. Chaffee had been reelected Delegate in Congress in the previous autumn, and the improved economic conditions in the Territory now were causing a change in public sentiment among its people as to the question of Statehood. The citizens who were inclined to favor the transition were in the majority, and the number so disposed increased month by month thereafter. Moreover, while the political sea in Colorado still was boisterous, the animosities and wranglings that had so largely characterized the discussion and management of the Territory's public affairs were upon the eve of giving way to a higher type of political methods. Furthermore, Colorado's admission now was favored by President Grant, who, in his message to the Forty-third Congress, at the opening of its first session (December 1, 1873—June 23, 1874), said:

"I would recommend for your favorable consideration the passage of an enabling act for the admission of Colorado as a State of the Union. It possesses all the elements of a prosperous State, agricultural and mineral, and, I believe, has a population now to justify such admission."

On December 8th, two bills for an enabling act for Colorado were introduced into the House. The first of these was by Representative George C. McKee, of Mississippi, and which, after the usual formalities, was referred to the House Committee on Territories. The other was by Delegate Chaffee, whose bill eventually took precedence of McKee's, which, by com-

mon consent, was not reported back to the House. On several days in the following January, Chaffee presented to the House a large number of petitions from citizens of Colorado "asking the passage of an act to authorize the people of the territory to form a State government, and for the admission of such State into the Union". The number of signatures to these was said to have been between six and seven thousand.

However, the whole subject was held in abeyance for nearly five months, when, on May 28th (1874), Delegate Chaffee, by unanimous consent of the House, reported from the Committee on Territories a new bill for an enabling act for Colorado, which, after the usual readings, was re-committed to that committee with instructions that it was "not to be brought back on a motion to reconsider". On June 8th, the shrewd and vigilant Chaffee moved that the rules be suspended and that the bill he had introduced in the previous December, which had not been reported by the Committee on Territories, be taken up and passed. He said it was "an exact copy of the bill passed [by the House] the other day for the admission of New Mexico", and that it was "in the usual form of enabling acts". As there was but little active opposition to Chaffee's motion and his bill, even by the partisan minority, the rules were suspended, and, in about the time of a wink by the Congressional eye, the measure was passed by 171 yeas to 66 nays; fifty-two members not voting. Going now to the Senate, the bill was referred to that body's Committee on the Territories, which reported it on June 11th, unchanged. But here it received a setback, for which some Republican Senators mainly were responsible, and who now were dubious as to whether Colorado would turn out to be a Republican or a Democratic State. Action upon the measure was delayed until the 23d, the last day of the session, when a motion to postpone all other orders and take it up for passage was negatived, and by a vote of 33 to 20 (twenty Senators being absent) the bill then was ordered to be laid upon the table. This proceeding left it in the condition of unfinished business.

Although President Grant had not referred to the subject of Statehood for Colorado in his annual message to Congress on December 7th (1874), he still favored it, and exerted his influence in its behalf. But efforts to have the Senate to act on the pending bill for that purpose were not successful until February 24, 1875, when it was called up for consideration. The delay, that could have been prevented by the Republican majority, had been due principally to the political situation in Colorado, as the Territory had, in the preceding September, elected a Democrat (Thomas M. Patterson) to be its Delegate in the next Congress. Some Republican Senators believed this indicated that Colorado would be a Democratic State. But others held it largely to have been due to the maladministration, officious meddlesomeness and other political shortcomings of Governor McCook, and therefore demanded his elimination by the President as a condition precedent to the Senate's passage of the bill. McCook having been forced to hand in his resignation, the Colorado Statehood bill was, as I have said above, taken up by the Senate on February 24th. But there still was a disposition on the part of some Senators to defeat it, a few of these making use of the old question as to sufficiency of population. This was to some extent provoked by the insistence of an exaggerated statement as to the Territory's population, which therein was said

to be 150,000; thus assuming an increase of 110,000 in four and one-half years. While it was well known that there had been a steady emigration to Colorado during that period, and that it was continuing, no one believed the gain had been nearly 300 per cent. since June, 1870. However, after the adoption of several minor amendments, the bill was passed by the Senate on that day by a vote of 42 to 12; nineteen Senators being absent.

The bill appeared in the House on February 26th, for concurrence in the Senate's amendments. But action thereon was delayed several days, partly by Democratic skirmishing and partly by allowing precedence to measures deemed by many of the members to be more important. In the evening of March 3d, and by the very skillful management of Delegate Chaffee, the attention of the House was obtained and held for a time sufficient to a suspension of the rules, and thereunder to concur in the amendments; and before midnight the bill became a law by its approval by President Grant. The full text of the act is appended to this chapter.

As in all previous Statehood-measures for Colorado, the law made the boundaries of the Territory those of the proposed State, which embrace an area of about 104,000 square miles.

The first requirement under the provisions of the act was the election of delegates in the several counties, and in number (thirty-nine) the same as that of the total membership of the Territorial Legislative Assembly, to a convention to frame a constitution for the contemplated State, and which was held on the 25th of the following October. The twenty-five counties into which the Territory then was divided had been apportioned into twenty-four districts, and delegates were elected in these divisions, as follows:

- First District, consisting of Weld County, S. J. Plumb and John S. Wheeler.
- Second, consisting of Weld and Larimer counties, A. Y. Yount.
- Third, consisting of Larimer County, William C. Stover.
- Fourth, consisting of Boulder County, Byron L. Carr and William E. Beck.
- Fifth, consisting of Gilpin County, Alvin Marsh and Lewis C. Roekwell.
- Sixth, consisting of Clear Creek County, William M. Clark and William H. Cushman.
- Seventh, consisting of Clear Creek, Summit and Grand counties, William W. Webster.
- Eighth, consisting of Jefferson County, William Lee and George G. White.
- Ninth, consisting of Arapahoe County, H. P. H. Bromwell, Frederick J. Ebert, Clarence P. Elder, Lewis C. Ellsworth, Daniel Hurd and E. T. Wells.
- Tenth, consisting of Arapahoe and Douglas counties, P. P. Wilcox.
- Eleventh, consisting of Bent County, J. W. Widderfield.
- Twelfth, consisting of Bent and Elbert counties, John S. Hough.
- Thirteenth, consisting of El Paso County, Robert Douglas and Joseph C. Wilson.
- Fourteenth, consisting of Park and Lake counties, William H. James and George E. Pease.
- Fifteenth, consisting of Saguache County, Willard B. Felton.
- Sixteenth, consisting of Fremont County, A. D. Cooper.
- Seventeenth, consisting of Pueblo County, Wilbur F. Stone and Henry C. Thatcher.
- Eighteenth, consisting of Las Animas County, Casimero Barela, George Boyles and Jesus Maria Garcia.
- Nineteenth, consisting of Las Animas and Huerfano counties, Agapeta Vigil.
- Twentieth, consisting of Huerfano County, Robert A. Quillian.
- Twenty-first, consisting of Costilla County, William H. Meyer.
- Twenty-second, consisting of Conejos County, Lafayette Head.
- Twenty-third, consisting of Hinsdale and Rio Grande counties, William R. Kennedy.
- Twenty-fourth, consisting of La Plata County, Henry R. Crosby.

The delegates assembled at Denver at the appointed time, December 20, 1875, and organized by electing Joseph C. Wilson, of El Paso County, President of the convention; and W. W. Coulson (not a delegate), of Boulder County, Secretary. The convention remained in session throughout that winter and on into March, when on the 14th of that month, it completed and certified to its well-done work. In an "Address to the People of Colorado", by a committee of delegates appointed to prepare and make public a summary of the provisions of the Constitution, the following was said:

"Let us now look at the political and substantial advantages of Statehood as contrasted with our present condition of Territorial vassalage. By becoming a State, we elect our officers from our own people and are permitted to join in the election of the Chief Magistrate of the Nation, thus enjoying for the first time, while in Colorado, the sweets of self-government.

"Our privileges will then be enlarged, we will no longer be suppliants for the rights and immunities belonging to freemen—we will have gained them. Then we will be able to assume our proper station among the States of the Union. With two Senators and a Representative in the National Congress, we will be enabled to command respect, and to secure additional appropriations for the fostering of our industries, as well as of extending our political privileges; then we will have a voice in the matter of Indian treaties, in the establishing of military posts and roads, in the location of mail routes, in the passing of laws concerning the title to mineral veins, and providing for the disposal of the mineral and pastoral lands of the State as suited to peculiar wants; also upon many other questions which at present interest us, but upon which we can not now be heard. Who is there among you that would not rather be a citizen of an independent sovereign State than a mere settler upon the public lands of the Territory, governed by satraps appointed and removed at pleasure, as best serves the whims and purposes of political rings and cliques—beggars, asking pittance at the gate of the nation; poor wards dependent upon the charity of Congress, living in a sort of penal colony, the Botany Bay of political servitude? Now that the golden opportunity is afforded, shall this state of things longer exist? We confidently believe it will not. Let us cherish, then, this occasion with more than ordinary zeal, actuated by the memories of the past, and inspired by the rewards for us in the future; let us arouse ourselves to the responsibilities of the hour, and, as citizens of a free Republic, become in fact, as well as in name, citizens of the American Union of Sovereign States."

The time was auspicious and the conditions in the Territory were ripe for the change. Colorado's population, which had been increasing at rather a rapid rate since 1870, now was nearly 100,000. The Constitution was in full accord with the recent amendments to the Federal Constitution, and the great majority of the Territory's people were convinced that the day was at hand for them to shake off the incubus of Territorial government. The State Constitution was submitted to the voters of the Territory, for their ratification or rejection, on July 1, 1876. In a total vote of 19,505 there were 15,443 affirmative ballots, and 4,062 negative; leaving a ratification majority of 11,381.

All the proceedings having been in due accordance with the Enabling Act, President Grant, in further compliance therewith, issued on August 1, 1876, a proclamation declaring that Colorado now had become one of the States of the Union. That year having brought the hundredth anniversary of American independence, Colorado was given the nickname, "Centennial State", and which first was suggested, in anticipation of admission in that year, by the late General R. W. Woodbury, then owner

and editor of the *Denver Times*, in an editorial article in the issue of that newspaper on February 27, 1875.

The Enabling Act provided that during the interval between the formal admission of the State and the inauguration of duly elected State officers the Territorial officers should continue in their respective positions and discharge the duties thereof.

The election for State officers, for members of the General Assembly, and also for a Representative in the Forty-fourth Congress in its last session, was held, as provided by the Constitution, on October 3, 1876. Two State tickets, Republican and Democratic, had been nominated by party conventions: John L. Routt, Governor of the Territory, heading that of the Republicans, as candidate for Governor, and Bela M. Hughes that of the Democrats, for the same office. Both parties waged a vigorous campaign for political control of the State, but while victory rested with the Republicans, the result proved the two organizations to be nearly equal in strength. The winning side elected its entire ticket for the executive and judicial divisions, a majority of the members of both branches of the Legislature, and the Representative for the unexpired term of the Forty-fourth Congress. In the total of 27,270 votes cast for the heads of the two tickets, Routt's majority was 1,038. The majorities for the rest of his ticket ranged from 1,729 for Secretary of State to 728 Treasurer of State.

Colorado's first General Assembly convened at Denver, at noon of November 1, 1876, and effected an organization on that day. On the next day the returns of the election for State officers were canvassed and the results duly determined, whereupon those declared to have been elected were inaugurated, and entered upon the discharge of their duties, although they had nominally been in office from the day before.

On November 7th, the Legislature, as the Constitution authorized it to do in that instance, elected three Presidential Electors—Herman Beckurts, William L. Hadley and Otto Mears—each a Republican. The result of this transaction, which was a legitimate consequence of the people's will as expressed in the election on October 3d, affords a good example of the facility with which great political events may, under our system, be turned one way or another by a political incident. Had the admission of Colorado and the organization of its State Government been delayed three months, or had the Democrats elected a few more members of the Legislature—which might have been done with a few hundred more votes—Samuel J. Tilden, and not Rutherford B. Hayes, would have become President of the United States on March 4, 1877.

On November 14th, the Legislature elected Henry M. Teller and Jerome B. Chaffee, each a Republican, United States Senators from Colorado. When they were seated in the Senate, on the 4th of the next month, the term that ended on March 4th, following, fell to the lot of Mr. Teller, and thus gave Mr. Chaffee the term that expired on March 4, 1879. But on December 9th (1876), that Legislature elected Mr. Teller to succeed himself for a full term.

So, after twelve years of almost continuous striving for the change, but for the most part of the time by a minority of her citizens, Colorado had become the thirty-eighth member of the great American Sisterhood of States and was fully represented in the councils of the Nation.

A peculiar situation was produced by the proceedings in the matter of electing the Representative in Congress. One was to be chosen to serve in the unexpired part of the term of the Forty-fourth Congress (from December 4, 1876, to March 4, 1877), and one for the full term of the Forty-fifth. The Republicans nominated James B. Belford for both terms, and Thomas M. Patterson likewise was nominated by the Democrats. Section 6, of the Enabling Act, authorized the election of a Representative in what was left of the Forty-fourth's term to be held on the same day on which State officers and members of the Legislature should be elected. But as the managers of the Republican campaign had construed that section, which is somewhat obscure, to mean that a Representative in both these Congresses should, or might be, chosen on that day (October 3d), Belford was nominated for the two terms; and the Democrats, who held their convention about a week later, in nominating Patterson, followed the Republican example. But Patterson is well on record as having repeatedly said in public that the Enabling Act did not warrant the election of a Representative in the Forty-fifth Congress on that day, and that such election must be held on the 7th of the following November, the regular day for holding elections throughout the Nation for Representatives in Congress. However, as the Republicans insisted on and stuck to their construction of the clause in the Enabling Act, each party voted on October 3d for its candidate for the two terms. For the short term, Belford received 13,302 votes, and Patterson 12,865; and for the full term the vote was, respectively, 13,532 and 12,544. Therefore, upon the face of the returns, Belford had been elected for both terms. But the managers of the Democratic campaign, who did not question Belford's election to the Forty-fourth Congress, now believing Patterson's views to be correct and that there had been no election for the Forty-fifth, decided to hold an election on November 7th for a Representative in that Congress. Notwithstanding that the returns of the October election had been officially canvassed and a certificate of election to the Forty-fifth, as well as to the Forty-fourth, had been issued to Belford, and that the Republicans finally had refused to concede any invalidity in the previous proceedings or to have anything to do with the proposition for another trial, the Democrats held an election according to their programme. But, as shown by the returns, participation in it was not general even by voters of that party, while those of the Republican party held aloof almost to the last man. As he had had practically no "opposition", Patterson received 3,580 of the total of 3,829 votes that had been cast; and of the remainder, 172 were for Belford, and 77 were classed as "scattering". The House of Representatives of the Forty-fifth Congress, after a prolonged contest over the tangle, decided that Mr. Patterson was the lawfully-elected Representative, and therefore was entitled to the seat.

The Constitution of Colorado provides that the Governor and other elective executive officers of the State shall hold office for the term of two years, beginning on the second Tuesday in January next after their election; but it also provided "that the terms of office of those chosen at the first election held under this Constitution shall begin on the day appointed for the first meeting of the General Assembly"—the first Wednesday in November, 1876, and which was the first day of that month. Therefore the

first complement of State officers served for twenty-six months and ten days.

Since Colorado became a State, there have been, including the period current at the time of this writing, seventeen gubernatorial terms, while the number of men who have occupied the position of chief executive is fourteen, their names and terms having been as stated in the following:

First term, from November 1, 1876, to the second Tuesday in January, 1879, John L. Routt, who had been the last Territorial Governor.

Second, ended in January, 1881, Frederick W. Pitkin.

Third, ended in January, 1883, Frederick W. Pitkin (reelected).

Fourth, ended in January, 1885, James B. Grant.

Fifth, ended in January, 1887, Benjamin H. Eaton.

Sixth, ended in January, 1889, Alva Adams.

Seventh, ended in January, 1891, Job A. Cooper.

Eighth, ended in January, 1893, John L. Routt (his second term).

Ninth, ended in January, 1895, Davis H. Waite.

Tenth, ended in January, 1897, Albert W. McIntyre.

Eleventh, ended in January, 1899, Alva Adams (his second term).

Twelfth, ended in January, 1901, Charles S. Thomas.

Thirteenth, ended in January, 1903, James B. Orman.

Fourteenth, ended in January, 1905, James H. Peabody.

Fifteenth, ended in January, 1907. The election of a Governor for this term was contested. Alva Adams (for a third term); elected according to the face of the returns, served from the second Tuesday in January to March 16th (1905), when the General Assembly seated James H. Peabody (for a second term). The latter, in compliance with a previous partisan arrangement, resigned on the next day and was succeeded by Jesse F. McDonald, who had been elected Lieutenant Governor on the party ticket that had been headed by Peabody, and who served until the end of the term.

Sixteenth, ended in January, 1909, Henry W. Buchtel.

Seventeenth, to expire in January, 1911, John F. Shafroth, formerly one of Colorado's Representatives in the Federal Congress.

The State has been represented in the United States Senate by ten men, including the present-time Senators, viz: Thomas M. Bowen, Jerome B. Chaffee, George M. Chilcott, Simon Guggenheim, Nathaniel P. Hill, Charles J. Hughes, Thomas M. Patterson, Horace A. W. Tabor, Henry M. Teller, and Edward O. Wolcott; the first two having been Teller and Chaffee.

As I have already stated, the General Assembly's first election of Mr. Teller occurred on November 14, 1876, and proved to be for a term that expired on March 4, 1877. On December 9, 1876, he was elected for a full term (six years), which ended on March 4, 1883. He resigned in April, 1882, to enter President Arthur's Cabinet, as Secretary of the Interior.

Mr. Chilcott, by appointment by Governor Pitkin, on April 11, 1882, succeeded Teller, to serve until the election of a Senator by the General Assembly. The duration of his incumbency was less than ten months.

Mr. Tabor, who succeeded Chilcott, was elected by the Assembly on January 26, 1883, for the then unexpired part of Teller's term, a period of thirty-seven days; but Tabor's term of actual service was about thirty days.

Mr. Bowen, the successor of Tabor, was elected on January 26, 1883, for a full term, which expired on March 4, 1889.

Mr. Wolcott was elected on January 16, 1889, to succeed Bowen, for a full term, which ended on March 4, 1895; and was reelected, to succeed himself, on January 16, 1895, for another full term, which ended on March 4, 1901.

Mr. Patterson, Wolcott's successor, was elected on January 16, 1901, for a full term, which expired on March 4, 1907.

Mr. Guggenheim, the successor of Patterson, and who is now the senior Senator from Colorado, was elected on January 16, 1907, for a full term, which shall end on March 4, 1913.

As I have heretofore mentioned, Mr. Chaffee was elected on November 14, 1876, for a term that expired on March 4, 1879.

Mr. Hill, who succeeded Chaffee, was elected on January 9, 1879, for a full term, which ended on March 4, 1885.

Mr. Teller, whose service as Secretary of the Interior terminated with the outgoing of President Arthur's administration, in March, 1885, and who became Hill's successor, had been elected on January 21, 1885, for a full term, which ended on March 4, 1891. Teller was reelected on January 21, 1891, to succeed himself, for a full term, which expired on March 4, 1897: was again reelected, to succeed himself, on January 20, 1897, for a full term, which expired on March 4, 1903: and still again was reelected, as his own successor, on January 24, 1903, for a full term, which ended on March 4, 1909.

Mr. Hughes, the junior Senator at the present time and Teller's successor, was elected on January 20, 1909, for a full term, which shall expire on March 4, 1915.

Until the year 1892, our State constituted one Congressional District, and therefore had but one representative in the lower division of the Federal Congress prior to the year 1893. The Federal Census of 1890 proved Colorado to be entitled to two Representatives, and was followed by the division of the State into two Congressional Districts. The thirteen counties of Arapahoe, Boulder, Jefferson, Lake, Larimer, Logan, Morgan, Park, Phillips, Sedgwick, Washington, Weld, and Yuma, having an aggregate population of 204,659, formed the First District: and the forty-two counties of Archuleta, Baca, Bent, Chaffee, Cheyenne, Clear Creek, Conejos, Costilla, Custer, Delta, Dolores, Douglas, Eagle, Elbert, El Paso, Fremont, Garfield, Gilpin, Grand, Gunnison, Hinsdale, Huerfano, Kiowa, Kit Carson, La Plata, Las Animas, Lincoln, Mesa, Montezuma, Montrose, Otero, Ouray, Pitkin, Prowers, Pueblo, Rio Blanco, Rio Grande, Routt, Saguache, San Juan, San Miguel, and Summit, with an aggregate population of 207,539, constituted the Second District. After 1900, the population of Colorado, as enumerated in the Federal Census of that year, entitled the State to another Representative in Congress. But the State was not redistricted, the third member having been, since the reapportionment that followed that census, elected at large. Of the five additional counties—Mineral, Teller, Denver, Adams, and Jackson—formed since 1892, the first-named two are in the Second District, the others being in the First.

Since Colorado's admission into the Union, fourteen men, including the present incumbents, have represented the State in the popular division of Congress, their names and terms being as follows:

Forty-fourth Congress (March 4, 1875—March 4, 1877), James B. Belford, in the last session, beginning on December 4, 1876, and ending on March 4, 1877.

Forty-fifth Congress (March 4, 1877—March 4, 1879), Thomas M. Patterson.

Forty-sixth Congress (March 4, 1879—March 4, 1881), James B. Belford (second term).

Forty-seventh Congress (March 4, 1881—March 4, 1883), James B. Belford (reelected).

Forty-eighth Congress (March 4, 1883—March 4, 1885), James B. Belford (reelected).

Forty-ninth Congress (March 4, 1885—March 4, 1887), George C. Symes.

Fiftieth Congress (March 4, 1887—March 4, 1889), George C. Symes (reelected).

Fifty-first Congress (March 4, 1889—March 4, 1891), Hosea Townsend.

Fifty-second Congress (March 4, 1891—March 4, 1893), Hosea Townsend (reelected).

Fifty-third Congress (March 4, 1893—March 4, 1895), Lafe Pence, First District; John C. Bell, Second District.

Fifty-fourth Congress (March 4, 1895—March 4, 1897), John F. Shafroth, First District; John C. Bell (reelected), Second District.

Fifty-fifth Congress (March 4, 1897—March 4, 1899), John F. Shafroth (reelected), First District; John C. Bell (reelected), Second District.

Fifty-sixth Congress (March 4, 1899—March 4, 1901), John F. Shafroth (reelected), First District; John C. Bell (reelected), Second District.

Fifty-seventh Congress (March 4, 1901—March 4, 1903), John F. Shafroth (reelected), First District; John C. Bell (reelected), Second District.

Fifty-eighth Congress (March 4, 1903—March 4, 1905), Franklin E. Brooks, at large; Robert W. Bonyng, First District; Herschel M. Hogg, Second District.

Fifty-ninth Congress (March 4, 1905—March 4, 1907), Franklin E. Brooks (reelected), at large; Robert W. Bonyng (reelected), First District; Herschel M. Hogg (reelected), Second District.

Sixtieth Congress (March 4, 1907—March 4, 1909), George W. Cook, at large; Robert W. Bonyng (reelected), First District; Herschel M. Hogg (reelected), Second District.

In the present Congress (the Sixty-first, March 4, 1909—March 4, 1911), the State's representatives are Edward T. Taylor, at large; Atterson W. Rucker, First District; John A. Martin, Second District.

Colorado has been, upon the whole, ably represented in the Federal Congress; in Territorial times as well as since her admission into the Union of States. In the former period, Judge Hiram P. Bennet and Mr. Chaffee exerted an influence that was much greater than that usually wielded by Delegates, who, in fact, then were, as they still are, merely "Agents" of the Territories. While we may not be justified in claiming conspicuous ability and exceptional potency for the State's representation in Congress by and large, we may, with full propriety, say that it has always been abreast with that of any other division of the Union.

AN ACT

TO ENABLE THE PEOPLE OF COLORADO TO FORM A CONSTITUTION AND STATE GOVERNMENT,
AND FOR THE ADMISSION OF THE SAID STATE INTO THE UNION, ON AN
EQUAL FOOTING WITH THE ORIGINAL STATES.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled:

That the inhabitants of the territory of Colorado included in the boundaries hereinafter designated, be, and they are hereby authorized to form for themselves, out of said territory, a State government, with the name of the State of Colorado; which State, when formed, shall be admitted into the Union upon an equal footing with the original States in all respects whatsoever, as hereinafter provided.

Sec. 2. That the said State of Colorado shall consist of all the territory included within the following boundaries, to wit: commencing on the thirty-seventh parallel of north latitude where the twenty-fifth meridian of longitude west from Washington [the 102d west from Greenwich] crosses the same; thence north, on said meridian, to the forty-first parallel of north latitude; thence along said parallel west to the thirty-second meridian of longitude west from Washington [the 109th west from Greenwich]; thence south on said meridian, to the thirty-seventh parallel of north latitude; thence along said thirty-seventh parallel of north latitude, to the place of beginning.

Sec. 3. That all persons qualified by law to vote for representatives to the general assembly of said territory, at the date of the passage of this act, shall be qualified to be elected, and they are hereby authorized to vote for and choose representatives to form a convention, under such rules and regulations as the governor of said territory, the chief justice, and the United States attorney thereof may prescribe; and also to vote upon the acceptance or rejection of such constitution as may be formed by said convention, under such rules and regulations as said convention may prescribe; and the aforesaid representatives to form the aforesaid convention shall be apportioned among the several counties in said territory in proportion to the vote polled in each of said counties at the last general election as near as may be; and said apportionment shall be made for said territory by the governor, United States district attorney, and chief justice thereof, or any two of them; and the governor of said territory shall, by proclamation, order an election of the representatives aforesaid, to be held throughout the territory at such time as shall be fixed by the governor, chief justice, and United States attorney, or any two of them: which proclamation shall be issued within ninety days next after the first day of September, eighteen hundred and seventy-five, and at least thirty days prior to the time of said election; and such election shall be conducted in the same manner as is prescribed by the laws of said territory regulating elections therein, for members of the house of representatives; and the number of members to said convention shall be the same as now constitutes both branches of the legislature of the aforesaid territory.

Sec. 4. That the members of the convention thus elected shall meet at the capital of said territory, on a day to be fixed by said governor, chief justice, and United States attorney, not more than sixty days subsequent to the day of election, which time of meeting shall be contained in the aforesaid proclamation mentioned in the third section of this act, and after organization, shall declare, on behalf of the people of said territory, that they adopt the Constitution of the United States: whereupon the said convention shall be, and is hereby, authorized to form a Constitution and State government for said territory; *Provided*, That the Constitution shall be republican in form, and make no distinction in civil or political rights on account of race or color, except Indians not taxed, and not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence; *And, Provided further*, That said convention shall provide by an ordinance irrevocable without the consent of the United States and the people of said State: *First*, That perfect toleration of religious sentiment shall be secured, and no inhabitant of said State shall ever be molested in person or property, on account of his or her mode of religious worship; *Secondly*, That the people inhabiting said territory do agree and declare that they forever disclaim all right and title to the unappropriated public lands lying within said territory, and that the same shall be and remain at the sole and entire disposition of the United States; and that the lands belonging to citizens of the United States residing without the said State, shall never be taxed higher than the lands belonging to residents thereof, and that no taxes shall be imposed by the State on lands or property therein belonging to, or which may hereafter be purchased by, the United States.

Sec. 5. That in case the Constitution and State government shall be formed for the people of said territory of Colorado, in compliance with the provisions of this act, said convention forming the same shall provide by ordinance, for submitting said Constitution to the people of said State for their ratification or rejection, at an election, to be held at such time, in the month of July, eighteen hundred and seventy-six, and at such places and under such regulations as may be prescribed by said convention, at which election the lawful voters of said new State shall vote directly for or against the proposed Constitution; and the returns of said election shall be made to the acting governor of the territory, who, with the chief justice and United States attorney of said territory, or any two of them, shall canvass the same; and if a majority of legal votes shall be cast for said Constitution in said proposed State, the said acting governor shall certify the same to the President of the United States, together with a copy of said Constitution and ordinances, whereupon it shall be the duty of the President of the United States to issue his proclamation declaring the State admitted into the Union on an equal footing with the original States, without any further action whatever on the part of Congress.

Sec. 6. That until the next general census, said State shall be entitled to one representative in the house of representatives of the United States, which representative together with the governor and State and other officers provided for in said Constitution, shall be elected on a day subsequent to the adoption of the Constitution, and to be fixed by said constitutional convention; and until said State officers are elected and qualified under the provisions of the Constitution, the territorial officers shall continue to discharge the duties of their respective offices.

Sec. 7. That sections numbered sixteen and thirty-six in every township, and where such sections have been sold or otherwise disposed of by any act of Congress, other lands equivalent thereto in legal subdivisions of not more than one quarter-section, and as contiguous as may be, are hereby granted to said State for the support of common schools.

Sec. 8. That, provided the State of Colorado shall be admitted into the Union in accordance with the foregoing provisions of this act, fifty entire sections of the unappropriated public lands within said State, to be selected and located by direction of the legislature thereof, and with the approval of the President, on or before the first day of January, eighteen hundred and seventy-eight, shall be and are hereby granted, in legal subdivisions of not less than one quarter-section, to said State for the purpose of erecting public buildings at the capital of said State, for legislative and judicial purposes, in such manner as the legislature shall prescribe.

Sec. 9. That fifty other sections of land as aforesaid, to be selected and located and with the approval as aforesaid, in legal subdivisions as aforesaid, shall be, and they are hereby, granted to said State for the purpose of erecting a suitable building for a penitentiary or State prison in the manner aforesaid.

Sec. 10. That seventy-two other sections of land shall be set apart and reserved for the use and support of a State University, to be selected and approved in manner as aforesaid, and to be appropriated and applied as the legislature of said State may prescribe for the purpose named and for no other purpose.

Sec. 11. That all salt springs within said State not exceeding twelve in number, with six sections of land adjoining, and as contiguous as may be to each, shall be granted to said State for its use, the said land to be selected by the governor of said State within two years after the admission of the State, and when so selected to be used and disposed of on such terms, conditions and regulations as the legislature shall direct; *Provided*, That no salt spring or lands, the right whereof is now vested in any individual or individuals, or which hereafter shall be confirmed or adjudged to any individual or individuals, shall by this act be granted to said State.

Sec. 12. That five per centum of the proceeds of the sales of agricultural public lands lying within said State, which shall be sold by the United States subsequent to the admission of said State into the Union, after deducting all the expenses incident to the same, shall be paid to the said State for the purpose of making such internal improvements within said State as the legislature thereof may direct; *Provided*, That this section shall not apply to any lands disposed of under the homestead laws of the United States, or to any lands now or hereafter reserved for public or other uses.

Sec. 13. That any balance of the appropriations for the legislative expenses of said territory of Colorado remaining unexpended shall be applied to and used for defraying the expenses of said convention, and for the payment of the members thereof, under the same rules and regulations and rates as are now provided by law for the payment of the territorial legislature.

Sec. 14. That the two sections of land in each township herein granted for the support of common schools, shall be disposed of only at public sale and at a price not less than two dollars and fifty cents per acre, the proceeds to constitute a permanent school fund, the interest of which to be expended in the support of common schools.

Sec. 15. That all mineral lands shall be excepted from the operations and grants of this act.

Approved March 3, 1875.

CHAPTER XXIII.

RAILWAYS OF COLORADO.—EARLY DISCUSSIONS OF TRANSCONTINENTAL HIGHWAYS.—PIONEER PROPOSITIONS FOR RAILWAYS TO THE PACIFIC COAST.—SENATOR BENTON'S PROPOSED NATIONAL HIGHWAY FROM THE MISSISSIPPI RIVER TO THE PACIFIC OCEAN.—FEDERAL SURVEYS FOR A PACIFIC RAILROAD.—EARLY PROJECTED RAILWAYS INTO COLORADO.—CONGRESSIONAL LEGISLATION IN AID OF A PACIFIC RAILROAD.—BOND-SUBSIDIES AND LAND-GRANTS.—INCEPTION OF THE UNION PACIFIC AND KANSAS PACIFIC ROADS.—COLORADO'S FIRST RAILROAD COMPANY.—EFFORTS OF COLORADO CITIZENS TO HAVE THE UNION PACIFIC TRAVERSE THEIR TERRITORY.—CIRCUMSTANCES LEADING TO THE ORGANIZATION OF THE DENVER PACIFIC RAILWAY COMPANY.—TRIALS AND TRIBULATIONS OF THAT CORPORATION.—ITS ULTIMATE TRIUMPH.—COMPLETION OF THE KANSAS PACIFIC AND DENVER PACIFIC TO DENVER.—END OF THE PIONEER ERA.—THE COLORADO CENTRAL RAILROAD COMPANY.—ITS CHECKERED CAREER.—BEGINNING AND DEVELOPMENT OF THE DENVER AND RIO GRANDE SYSTEM.—INCEPTION AND CONSTRUCTION OF THE DENVER AND SOUTH PARK RAILROAD.—ORIGINAL PURPOSES OF ITS BUILDERS.—RAILWAY CONSOLIDATIONS.—ADVENT OF THE ATCHISON, TOPEKA AND SANTA FE RAILWAY INTO COLORADO.—ENTRANCE OF THE BURLINGTON SYSTEM INTO THE STATE.—CONSTRUCTION OF LOCAL LINES OF RAILWAY.—ORGANIZATION OF THE DENVER AND NEW ORLEANS RAILWAY COMPANY.—FORMATION OF THE UNION PACIFIC, DENVER AND GULF SYSTEM.—MISSOURI PACIFIC.—COLORADO MIDLAND.—CHICAGO, ROCK ISLAND AND PACIFIC.—CONSTRUCTION OF VARIOUS LOCAL RAILROADS.—RAILWAY BUILDING AFTER THE PANIC OF 1893.—RECENTLY-BUILT LOCAL RAILWAYS.—DENVER, NORTHWESTERN AND PACIFIC RAILWAY.—DENVER, LARAMIE AND NORTHWESTERN RAILWAY.—INTERURBAN ELECTRIC RAILWAYS.—COLORADO RAILWAY MILEAGE IN THE YEAR 1909.

The institution of transcontinental highways of travel through the Far West to the Pacific Coast, and the inauguration of commerce between the United States and Asia by way of these, became subjects of serious discussion in the States west of the Alleghanies before the close of the nineteenth century's first quarter. The ease with which Lewis and Clark had passed from the Mississippi River to the mouth of the Columbia, and the advent of the steamboat upon our western rivers, had suggested the establishment of regular means of expeditious transportation to and from the Western Coast by the route which those explorers had followed. Shortly after the return of Major Stephen H. Long from his expedition to the Colorado ranges of the Rocky Mountains, a sanguine citizen of Missouri published his confident belief that "ten years shall not pass away before we shall have the rich productions of China transported from Canton to the Columbia, up that river to the mountains, over the mountains and down the Missouri and Mississippi, all the way by the potent power of steam". If this enthusiast really contemplated the use of steam upon the mountain link in his proposed chain of communications between the Mississippi River and the Pacific Ocean, he was one of the pioneers in the United States in forecasting its employment in land-carriage.

During the first half of the nineteenth century, as well as for some years afterward, the general conception among the people of the United

States as to the province of the railway was that it should be an adjunct of navigation: that in some places it should constitute connections between navigable waters, upon which it was commonly supposed that the bulk of traffic, both passenger and freight, permanently would continue to move; and that in other parts the iron road should serve as a "feeder" to lines of steam transportation by water. Therefore the earlier of the railways constructed in the United States—west of the Alleghanies as well as east—were located and built in accordance with these views.

About the year 1840, when the inherent worth of the Oregon region and its political importance as a part of the Nation's domain began to be realized by the more observant element of the country's population, the practicability of connecting it with the Mississippi River by means of a railway was advocated by a few men of prescient mind, but who were generally regarded as being unbalanced mentally. Several short railways already had been built upon the Atlantic slope, while many were in the "projected" stage both there and in the States of Ohio, Michigan, Indiana, Illinois, and Kentucky. But the dismal descriptions of the Far West that had appeared in the reports of Major Long's expedition still were believed by the mass of the people to be faithful word-pictures. Therefore even consideration of a proposition to construct a railway through that Land of Desolation, popularly known as the "Great American Desert"—through its vast, sterile and dreary plains, and over its immense belt of lofty and rugged ranges of mountains—seemed to the great body of the voters to be the very extremity of folly.

The first definite proposal actually to undertake the construction of such a railway originated not in the West, but in the city of Boston. Early in the '40s, soon after the beginning of American emigration to Oregon, and in which thousands of hardy men with their families participated during that decade, Asa Whitney, a man prominent in Boston, proposed to build, with private capital, a railway from the Mississippi, at a point opposite the town of Prairie du Chien, Wisconsin, to the head of navigation on the Columbia River, upon condition that the United States Congress should grant his company alternate sections of the public lands lying in a belt upon the central line of which his projected road was to be located. Whitney's proposition was wrangled in Congress frequently for some ten years. Yet, although such grants in aid of internal improvements previously had been made by Congress, and although Whitney's requirements were about the same in extent as the grants made to the builders of railways to the Pacific Coast in later years, as well as to those of various shorter lines west of the Mississippi, he failed to receive the desired assistance and therefore had to abandon his great enterprise.

Two routes for proposed railways from the Mississippi River to Pacific waters were laid down upon a map that emanated from the Federal War Department in 1845, one of which was Whitney's. The course of his was west, bearing a little to the south, from Prairie du Chien to the South Pass in the Rocky Mountains, and which was within the bounds that the organizers of our "Territory of Jefferson" gave to their conspicuous political romance in the history of self-government. From the western end of that pass, Whitney's route ran northwesterly to Fort Walla Walla, on the Columbia River.

Two eastern branches for the Whitney road had been suggested, and



GOVERNOR DAVIS H. WAITE

were laid down upon this map. One of these, of which Fort Leavenworth was to be the eastern terminus, coursed west by north to the South Platte River, crossed that stream at the site of Fort St. Vrain, and thence ran north by west to the South Pass, where it connected with the main line. The other started from Fort Gibson, at the head of navigation on the Arkansas River and in the middle-eastern part of the present State of Oklahoma. Its route ascended the Arkansas Valley until it passed into what is now the eastern border-land of Colorado, where it turned northwesterly, crossed the South Platte near the site of Denver, and, continuing in the same direction, formed a junction with the Fort Leavenworth-South Pass line in a locality a few miles above the north boundary of our State. So, two railways to run through the eastern half of Colorado's territory were tentatively projected as early as 1845.

The route of the other of the two proposed Mississippi River-Pacific Coast railways, of which the contemplated courses appear upon the map referred to, left the Great River at a point opposite the city of Memphis, Tennessee, and was designated as that of the "Memphis Connecting Road". Running southwesterly, the line struck the Rio Grande at the site of the present city of El Paso, Texas, covering a distance that is noted to be that of "1,000 miles". The map shows a continuation of the route from El Paso southwesterly through Mexico to a locality on the Yaqui River, about one hundred miles above its mouth. By this stream, the Bay of Guayamas and the Mexican town of the same name, on the eastern coast of the Gulf of California, were to be reached.

The first submission to any of the voters in the United States of the proposition for the construction of a railway from the Mississippi River to the Pacific Coast by the Federal Government—the first appearance of the question as an "issue" in a political campaign—occurred in the year 1846, when our war with Mexico was in progress. In that year, James H. Burch became an independent candidate for Congress in the "St. Joe District", in northwestern Missouri. His "platform" consisted of but one "plank", which, apparently anticipating the outcome of the war as to acquisition of territory by the United States, demanded the immediate beginning of work upon such a road, to be constructed, owned and operated by the Nation. Burch was subjected to much ridicule, both in and out of his district, and was overwhelmingly defeated. But he stands in the country's history as the first and only man who made a "race for Congress" exclusively as an advocate of the building of a transcontinental railway.

At the close of the Mexican War, public opinion in the States as to the value and intrinsic resources of the Far West began to undergo a change, and an increasing number of the people now thought the country, in which American dominion had been vastly extended by the results of that war, might turn out to be well worth all that it had cost, and also worth developing. This belief was strengthened greatly by the discovery of gold in California and by the emigration thither of multitudes of Americans. But nearly every one assumed that the construction of a railway from what was then called "the frontier" to that distant coast must be the work of the Federal Government, as the conviction that the undertaking was hopelessly beyond the scope of private enterprise and resources was general. The National (turnpike) Road, from Cumberland, Mary-

land, over the Alleghanies and across the States of Ohio, Indiana, and Illinois, to the Mississippi River, at the place where now stands the Illinois city of East St. Louis, was cited as a competent precedent for Federal construction of a transcontinental railway.

In a speech made at St. Louis in 1849, by Thomas H. Benton, who was the ablest and most distinguished representative the State of Missouri ever has had in the United States Senate, he said, after having dwelt at length upon the commanding importance of the early building of a railway from the Mississippi River to the Western Coast:

“When this mighty work shall have been completed and the commerce of the East is being brought over it, and the iron bands connect the oceans, a grateful country will carve out of the granite pillars of the Rocky Mountains a statue of Columbus pointing to the West and exclaiming: ‘There is the East! There! There is India!’”

On December 15, 1850, Senator Benton introduced into the Senate a bill providing for locating and constructing a great thoroughfare from St. Louis to the Bay of San Francisco. In advocating the measure he said the provisions of the bill conformed to all the ideas of a National Highway. The proposed thoroughfare would be centrally situated, as its entire course would lie between the thirty-eighth and thirty-ninth parallels of latitude; it would be national as it combined a railroad, a graded wagon-road, a turnpike or paved roadway, and a telegraph line, all parallel, and built upon a ribbon of the public domain one mile in width; it would have a branch to Santa Fe, one to Salt Lake City, and one beyond to Oregon; it would be national also because the work was to be done and the highway owned by the Federal Government. The cost of its construction was to be defrayed by the proceeds of sales of public lands. Had it become a reality, it would have traversed the central part of Colorado from east to west. But nothing further was done with the bill during that session of Congress: and as its author was retired from the Senate in the next year, his project for a great national transcontinental highway sank into oblivion.

However, Senator Benton’s measure stimulated public interest in the subject of connecting the Mississippi River and the Pacific Coast by a railway, and its effects in that direction were among the influences that prompted Congress, in the winter of 1852-53, by legislation to authorize and direct the Secretary of War to cause, as I have stated in an earlier chapter, three transcontinental railway-surveys to be made. Frémont’s reports of his expeditions to and beyond the Rocky Mountains, in the decade of the ’40s, had convinced Benton that there were no insuperable physical obstacles to the construction of a railway to the Western Coast, which conclusion now was accepted by many others.

It was in consequence of that action by Congress that the first determinative survey for a railway across the Far West—that of Captain John W. Gunnison and his party, in 1853—came to pass. A preliminary map issued by the War Department late in 1854, and which was prepared in that year by J. W. Egloffstein from data acquired by Captain Gunnison, and by Lieutenant E. G. Beckwith, who took command of the organization after Gunnison’s death, locates a railway on the southward side of the Missouri River, between St. Louis and the embryo Kansas City, and lays down the route developed by Gunnison west of Kansas City. The latter ascends the course of the Kansas River to the mouth of the Republican, and

thence that of the Smoky Hill Fork about seventy-five miles, whence it bears southwest until it strikes the Arkansas River; thence it runs up the left bank of the latter to the mouth of the Apishapa, at which it crosses the Arkansas and strikes off southwesterly to the Sangré de Cristo Range; thence through the Sangré de Cristo Pass and northwesterly across the San Luis Valley; thence through the Coochetopa Pass and down the valleys of the Gunnison and Grand rivers, and on into what is now the State of Utah. The map also locates a through route from Chicago to San Francisco Bay, and which, west of the Missouri River, is practically the same as that upon which the Union Pacific and Central Pacific railways were built before the close of the next decade. At the eastern end of the Cheyenne Pass, through which this route lies, a branch road diverges southeasterly, crosses the South Platte within the territory of our Morgan County, and thence runs eastward until it strikes the Republican River, the course of which it follows to the mouth of that stream, where it joins the route surveyed by Captain Gunnison.

The time of some three years elapsed before the full reports of the surveys which Congress had directed to be made were completed and printed; and for a year or so afterward there was much more talk about the expense of the undertakings, especially that of preparing and publishing the reports, than of building a railway upon any of the lines that had been located. The political conditions during President Buchanan's administration, together with the effects of the panic of 1857, caused further serious consideration of the subject at Washington to be suspended; in which state of dormancy it remained until after the outbreak of the Civil War.

Nevertheless, the Colorado pioneers of 1859 and '60 were sanguine of the early construction of a railway to the Pacific, and believed that such a road must traverse the Pike's Peak country. Assuming its completion to Auraria-Denver, William N. Byers, editor of the *Rocky Mountain News*, and who had had experience as a topographical engineer, thus defined, in the issue of his newspaper of November 24, 1859, two farther-westward courses for the road, by either of which it could cross the mountains without serious difficulty:

"From here westward the route may deflect a little to the northward, passing through the Cache a la Poudre Pass of the Black Hills [now known as the "Laramie Mountains"], crossing the Laramie Plains and entering the Great Basin through Bridger's Pass; or it may continue from here directly westward, entering the mountains by the Platte Cañon, following up that stream to the junction of the North and South Forks; thence up the North Fork to the South Park, cross a low mountain summit, and thence down the waters of the Colorado [the present "Grand River"] into the heart of the Great Basin. This route we consider entirely practicable, presenting less obstacles—if we except the first fifteen miles after entering the Platte Cañon, and even they are not at all insurmountable—than have been overcome on the Baltimore & Ohio railroad, and traversing the gold field in the exact direction of the great leads, and its greatest known length, for a distance not less than five hundred miles."

In the summer of 1860, the early construction of a railway from the Missouri River to Denver City, by private enterprise, with some assistance from the United States in the form of a land-grant, seemed highly probable to the citizens of the ambitious metropolis at the mouth of Cherry Creek. A corporation—the "Missouri River & Pike's Peak Railroad Com-

pany"—had been formed in St. Joseph, Missouri, to build a road from the river, at a point opposite that city, to the capital of "Jefferson Territory". Another corporation—the "Marysville & Denver City Railroad Company"—had been organized at Marysville, Kansas, to construct an air-line railway, with or without a grant of land, between the towns designated in its corporate name. The St. Joseph company was thought to be the more promising, and its project was hailed with enthusiasm by the Denver people. In consequence of its solicitation of their coöperation, they held several public meetings to consider ways and means by which to aid this important enterprise, and at which estimates of the cost of construction and of the business there would be for the road were submitted and discussed with great earnestness. The Marysville company also received attention, as the citizens of Denver believed they should be very happy with the railway of either in the event of the other's failure.

However, it does not appear that these corporations accomplished in that year even so much as surveys of the routes upon which they proposed to build; and, as in the case of so many contemplated undertakings, both public and private, they were overwhelmed by the excitement, consternation and apprehension produced throughout the country by the oncoming of the great war between the States in the memorable spring of 1861. At that time, the Hannibal & St. Joseph Railroad, across northern Missouri from the town of Hannibal, on the Mississippi, was the only railway that was in operation so far west as the Missouri River.

Nothing seemed more improbable in 1861 than that the Union Government, menaced as it was by permanent disruption, would take up the Pacific Railway proposition in the midst of the war, and enter into a partnership with corporations organized to build the road; and it seemed equally improbable that any private capital would be invested in such an enterprise at such a time. But the Civil War was the immediate cause of Federal action in behalf of the construction of the long-discussed trans-continental railway. It was by an act of Congress, approved July 1, 1862, making extensive grants of land and lending liberal subsidies in the form of bonds to private organizations, that a basis for the great undertaking was provided.

However, the adversities of the dragging war together with various other drawbacks delayed the beginning of actual construction-work upon the iron highway to the Pacific for nearly three years. Additional and even more generous legislation by Congress was required, and which was provided by an act approved on July 2, 1864; retarding difficulties were encountered in converting the companies' paper resources into money, which is the only thing that will build railways; and surveys much more in detail than those which had been made by the Federal War Department in the '50s had to be executed. As provided for by the legislation in 1864, the completed main line was to consist of the road of the Union Pacific Railroad Company (of which Governor John Evans, of Colorado, was one of the incorporators), extending west from the Missouri River, at Omaha, Nebraska; and that of the Central Pacific Railroad Company extending eastward from Sacramento, California. The two companies were to build until the ends of their tracks met at or somewhere near the half-way point, where they were to join their rails.

The act that was approved on July 1, 1862, also had included as-

sistance to the Leavenworth, Pawnee & Western Railroad Company, an organization that had been formed in eastern Kansas before the Civil War and incorporated under Kansas law. This company was among the early western railway corporations that had asked Congress for a land-grant, but had done no work upon its proposed road, which originally was intended to be a local line. As contemplated by the enactment, the Leavenworth, Pawnee & Western Company was to build a road that practically should be a branch of the Union Pacific, which arrangement was designed to give the city of St. Louis and the section of country then regarded as being commercially tributary to that metropolis a satisfactory connection with the Union Pacific-Central Pacific line to the coast of the Western Ocean. The act provided that the Leavenworth, Pawnee & Western Company should build its road from the mouth of the Kansas River northwesterly through Kansas and into Nebraska to a connection with the Union Pacific road at, or as near thereto as practicable, the point where the 100th meridian crossed the line of the latter—about forty miles southeasterly from the confluence of the North Platte and South Platte rivers. The Pacific Railroad of Missouri, then under construction between St. Louis and Kansas City, was to form the eastern part of the connecting route that was to serve the interests of St. Louis.

The act further provided that the Pawnee & Western Company should receive proportionally the same aid in bonds and land that was to be given the Union Pacific Company. This organization was to receive bonds, which were to be of the nature of a loan and become a lien upon its property, at the rate of \$16,000 per mile of main track east of the Rocky Mountains, and at the rate of \$48,000 per mile in the mountain section, in which the land grant was supposed to be of little or no value. As the Pawnee & Western Company would have no mountain work upon its line as proposed, the bonds to be issued to it were to be at the lesser rate per mile. Beside a right of way of 400 feet in width through the public lands, the land-grant to each of these companies was to consist of "every alternate section of public land, designated by odd numbers, to the amount of five alternate sections per mile on each side of said railroad, on the line thereof, and within the limits of ten miles on each side of said road, not sold, reserved, or otherwise disposed of by the United States, and to which a preëmption or homestead claim may not have been attached at the time the line of said road is definitely fixed." But all mineral lands lying within the grant were excepted from the operation of the act.

In the winter of 1863-64, the Pawnee & Western Company was reorganized under the corporate name of the "Union Pacific Railroad Company, Eastern Division", under which it operated until the end of that decade, when it was again reorganized, as the "Kansas Pacific Railway Company." As the company became more commonly known by the latter name, and its road (now the Denver-Kansas City division of the Union Pacific System) as the "Kansas Pacific", in the history of the construction and operation of Colorado's pioneer railways, I shall hereinafter, for the sake of convenience, refer to them by these appellations.

The act of Congress approved on July 2, 1864, increased the area of the grants of land to the main-line companies and also to the Kansas Pacific, making them the equivalent of a solid belt twenty miles in width, and included in them such alternate sections as contained iron and coal;

but the bond subsidy remained as before. The Kansas Pacific was authorized also to construct a branch from the Kansas town of Leavenworth, on the Missouri River, southwesterly to the Kansas town of Lawrence, by way of which its main line was to run, and thus giving the road two terminals on that river. In the event of the Union Pacific Company's failure to be proceeding in good faith in the construction of its railway at the time the Kansas Pacific Company "shall have completed their road to the one hundredth degree of longitude, then the last-named company may proceed to make said road westward until it meets and connects with the Central Pacific Railroad Company on the same line; and the said railroad from the mouth of the Kansas River to the one hundredth meridian of longitude shall be made by the way of Lawrence and Topeka: or on the branch of the Kansas River opposite said towns". But no bonds were to be issued nor land certified to the Kansas Pacific Company for such an extension west of the hundredth meridian and east of the mountains until the Union Pacific Company had completed its road from the Missouri River to that meridian. The act also contains provisions against various other contingencies that did not arise: but as these were of minor significance it is not essential to mention them here.

Neither the Pawnee & Western Company nor its successor organization was content with the provision requiring the Kansas Pacific road to connect with the Union Pacific at the hundredth meridian or elsewhere, nor with the contingent provision for its extension to a connection with the road of the Central Pacific Company. The promoters of the Kansas Pacific had and still intended and expected to have that requirement repealed by Congress, and in lieu thereof to be authorized and aided to make the Kansas Pacific a separate transcontinental railway, which should cross the Rocky Mountains somewhere near the course of the 37th parallel of latitude—Colorado's southern boundary.

In the meantime, there had been some physical railway-proceedings in Colorado. In the spring of 1861, before the echoes of the first clash of arms in the Civil War had died away, William A. H. Loveland, of Golden City, employed F. J. Ebert, of Denver City, to survey a route for a railway from Denver to Golden and thence up the gorge of Clear Creek and that of its North Fork to Central City. The work was completed in the following summer, but by most of the citizens of Denver City was considered to be, under the existing circumstances, merely a waste of time and money upon a visionary enterprise. The present narrow-gauge railway between Denver and Central City, by way of Golden, is located nearly all the way upon the course of that survey.

In a preceding chapter I have related the circumstances under which the Holladay Overland Mail & Express Company, operating a line of stage-coaches between the Missouri River and Salt Lake City, where connection was made with the Chorpenning line thence to the Pacific Coast, began running its vehicles by way of Denver City early in 1863, and thus, for the first time, placing that metropolis on a transcontinental route of travel. But before the change was made as there stated, the Overland Company sought to find a still shorter practicable route from Denver City across the mountains and into Utah: and for this purpose employed E. L. Berthoud, of Golden City, to make an exploration. From Empire City, in the upper valley of Clear Creek's main stream, and to which there was already

a fair road from Denver, Berthoud located what he regarded as a feasible route thence into Utah, which traversed the pass that now bears his name, extended through the Middle Park and thence westward by a winding way into the valley of the White River, down which it ran into the Mormon Territory. But while its length was shown to be more than two hundred miles shorter than the 'round-about course in use between Julesburg and Salt Lake City, the Overland Company deemed it impracticable, and decided to run its coaches northwestward from Denver and into the Laramie Plains by way of Virginia Dale.

However, the indomitable W. A. H. Loveland thought better of Berthoud's route and made some preparations to develop it into a transmontane wagon-road. So, with this purpose in view, he formed a company, which was incorporated in the next summer by Colorado's Second Legislative Assembly. But the action of Congress in that summer, providing for the construction of a transcontinental railway, together with his belief at that time that work upon the great undertaking would have an immediate beginning, caused him to change his plans as to road-building. Accordingly, under the general corporation law enacted by the Third Assembly, which convened on February 1, 1864, he converted his wagon-road corporation into the "Colorado Central Railroad Company", with authority to build a railway of standard gauge "from Golden City to Empire City and to Central City; from Golden City to Boulder City; and from Golden City, by way of Denver City, to Bijou". This was Colorado's first railway company. But before the end of that year, Loveland's plans had outgrown this "charter", and therefore it was amended in the fore part of 1865, with greatly expanded purposes in view. The company's corporate name was changed to that of the "Colorado Central & Pacific Railroad Company", and the organization was authorized to construct a standard-gauge railway from Golden City to the western boundary of Colorado, and from Golden City eastward to the eastern line of the Territory. The incorporators named in the amplified document were William A. H. Loveland, Henry M. Teller, John T. Lynch, John A. Nye, Thomas Mason, A. Gilbert, Milo Lee, and E. K. Baxter, of Colorado; James Mills, George A. Hoyt, John A. Dix, Ebenezer Cook, W. W. Wright, Thomas Small, L. C. Pollard, and William Bond, of New York; M. Laflin, of Chicago; A. McKinney, of Boston; Samuel Wheelwright, George B. Satterlee, W. V. Ogden, and Jonathan Cox.

The initial grading for the Union Pacific Railroad had been commenced at Omaha in the spring of that year; and soon thereafter the long iron trail began taking form up the valley of the Platte River. Construction work upon the eastern end of the Kansas Pacific was begun about the same time, and presently its track was advancing into the prairies of eastern Kansas.

It was generally believed in Colorado at that time that Congress would release the Kansas Pacific Railroad Company from the requirement to connect its road with that of the Union Pacific at the 100th meridian, and authorize the former to build through to the Coast upon a route west by south that would traverse the southern part of the Territory, aiding the corporation with bond subsidies and a land-grant. This anticipated programme gave birth to rosy visions among the citizens of Pueblo and Cañon City, and in which they saw Kansas Pacific locomotives puffing their way up the course of the Arkansas River and crossing the Continental Di-

vide at the head of that stream. The residents of the northern part of the Territory were confident that the road of the Union Pacific Company would be built up the valley of the South Platte, and cross the mountains either by way of the Clear Creek depression or by that of the Platte Cañon and the course of the North Fork of the South Platte. The citizens of Denver, assuming as a matter of course that the Union Pacific would be built directly to their city, also had in mind the construction of a road that should connect them with the Kansas Pacific, and give their metropolis another outlet by rail to the East, should that railway be raised to the dignity of a trans-continental line, as its promoters confidently expected would be done.

Loveland's proposed Colorado Central & Pacific Railroad was designed with the purpose of having it become a part of the Union Pacific Company's road—with the view that his company's "charter" and such other acquisitions as it might possess should be taken over and utilized by the larger corporation. Its route across the Continental Divide and through western Colorado was to be that of Berthoud's survey for a stage- and wagon-road, upon a portion of which, in our Grand County, some miles of the present Denver, Northwestern & Pacific Railway are located. Among Loveland's associates as incorporators of his company were several men who were identified with the Union Pacific Company, one of whom, John A. Dix, being at that time its President. Directors and officers of the Colorado Central were elected in New York City in the spring of 1865, and Loveland was made President of the corporation. Among the Directors was Jerome B. Chaffee, of Denver, who then was, as he continued to be for some years afterward, one of the Federal Government's representatives in the Union Pacific's Board of Directors. Chaffee favored the Colorado Central's route should a more thorough survey demonstrate it to be as practicable in all respects as any other which had been suggested. The Colorado Central & Pacific was intended locally to serve the interests of Golden City more than those of Denver or any other municipality in its meditated field of operations. As Golden City now was the capital of the Territory and had on its side the only railway company in Colorado, its citizens were holding their heads so high that they professed inability to recognize "the settlement at the mouth of Cherry Creek" as a rival of their "progressive city", the population of which now was about five hundred.

Construction-work upon both Union Pacific and Kansas Pacific lines was pushed vigorously in 1865, the former making the greater advance. But the course of the Union Pacific across the mountains had not yet been determined, nor had any change been made in the plans for the other road. In the autumn of that year, Governor Evans and other citizens of Denver joined Loveland and his local associates in efforts to persuade the Directors of the Union Pacific to adopt the route proposed for the Colorado Central & Pacific, but received no definite encouragement. Early in the spring of 1866, Governor Evans and others of Denver again importuned them to locate their road through the Clear Creek depression, and without regard to Loveland's enterprise. The only result of the conference was an assurance that an examination of that section of the country should be made at once by a party of the company's surveyors. This was done before midsummer of that year. About the 1st of August, information reached Denver that the Union Pacific Company had decided that the mountain division of its road could not, or, at any rate, would not, be constructed upon the Clear Creek route.

But it was said that there was a probability that the road would be located up the South Platte as far as the mouth of the Cache a la Poudre, and enter the mountains by the course of the latter; and also that in this event a connecting road to Denver City might be built later, the company at that time having no authority to construct such a branch line on its own account. In the autumn of that year, the Union Pacific's surveyors completed their final examinations of suggested mountain-crossings to the northward of Clear Creek; and in November came the announcement that the road would merely touch Colorado, in its northeastern corner, and would enter Utah by way of Bridger's Pass—the route upon which it was built.

In the meantime, Congress, by an act approved on July 3, 1866, had repealed the previous provision of the transcontinental-railway laws requiring the Kansas Pacific to connect with the Union Pacific at the 100th meridian, and decreed that the latter should make such a connection at a point not farther west than fifty miles beyond the longitude of Denver. Otherwise, the two companies were to remain, as they had been, independent of each other, and the former provision contingently authorizing the Kansas Pacific to build on to a connection with the Central Pacific was repealed. The act extended the Kansas Pacific Company's land-grant to the proposed new junction-point, but denied it any subsidy-bonds for mileage west of the 100th meridian. Notwithstanding the refusal of bonds, these changes seemed to assure the early construction of the Kansas Pacific to Denver City, and eventually along the foothills north by west to a connection with the Union Pacific. The Civil War was a tragedy of the past, and the Great West had become the scene of extraordinary activity, although Colorado's share in it yet was small.

The decision of the Union Pacific Company to cross the mountains by way of Bridger's Pass, and the change of programme for the Kansas Pacific, proved fatal to Loveland's plan for making his proposed Colorado Central & Pacific Railroad a part of a transcontinental railway. A man of uncommon ability and energy as a civil leader, he also was Colorado's pioneer railway-projector. He had "talked railroad" in Golden in 1859, and, as we have seen, had had a railway-survey made up the Clear Creek Gorge in 1861.

After the Union Pacific's Directors had determined upon the route through Bridger's Pass, Loveland's next move was to secure their coöperation in building, under the charter of the Colorado Central & Pacific, a system of railways in Colorado that should be tributary to their road. The report of General Grenville M. Dodge, in consequence of which the way through Bridger's Pass had been adopted, also had recommended that encouragement be given to the construction of a branch road to Denver and thence into the mining-districts of Colorado, both for the general traffic it would develop and for the coal-supply it could deliver for the uses of the Union Pacific Company. In January, 1867, the company's directors appointed from their number a committee to investigate Colorado's resources and report upon the expediency of the company's coöperation with Loveland in his new project. The committee made a favorable report, and suggested that the proposed system should consist of a road from the most practicable point on the Union Pacific to Denver City, thence to Golden and on to the heads of the two forks of Clear Creek; and of a division between Boulder City and Golden, with the view of making this the beginning of a line along the base of the Colorado foot-hills, with branches such as the subsequent

development of the mining and other resources of the Territory might require. Shortly afterward, in Boston, Loveland effected with the Union Pacific's Directors satisfactory arrangements under which the execution of this plan was to be accomplished; and to that end the Colorado Central & Pacific Company was reorganized in the following June, with him as President, but with Union Pacific interests in control.

The Union Pacific had been completed and now was in operation between Omaha and the confluence of the North Platte and South Platte rivers, a distance of nearly three hundred miles; and further construction was advancing rapidly toward the new town of Cheyenne, which, as I have already stated, had been founded by an "inner circle" of Union Pacific interests. On July 11th (1867), Thomas J. Carter, one of the Federal Government's representatives in the Union Pacific's Board of Directors, and who had been a member of the investigating committee mentioned above, arrived in Denver City. His mission was to ascertain the measure of financial assistance that would be given to aid the reorganized Colorado Central Company in constructing its projected system of roads by the communities to which this would be of direct benefit, and which should be built in accordance with the suggestions made by the committee on which he had served. At a large meeting of citizens of Denver, held in the evening of the day of Carter's coming, he made an address in which he told his hearers that they should not count on the entrance of the Kansas Pacific into northern Colorado, as those who were directing the affairs of that road still were maneuvering to have Congress rescind its action taken in June of the previous year and authorize and assist the company to build on to the Coast, upon a southwesterly course. Carter then proposed that the communities whose welfare would be promoted by the Colorado Central's lines should provide the financial means for grading the road-beds and otherwise making them ready for the ties and rails. This done, the Colorado Central Company, in which, as I have already remarked, Union Pacific interests predominated, should supply capital for completing and equipping the roads; and also that, if it should appear to be the better plan, the Union Pacific Company should lease and operate the system in direct connection with its main line. As the more equitable method by which the people should do their part, it was proposed that Arapahoe, Jefferson, Gilpin, Clear Creek and Boulder counties issue bonds, each for its proportional share of the burden, and which the Colorado Central Company should take at par and find a way of converting them into cash. But the bond-issues were not to be of the nature of donations: each county should receive common stock of the company to a par sum equal to that of its bonds.

The cost of making the system's road-beds ready for the ties and rails had been estimated at \$600,000—an absurdly small sum, considering the heavy work that was to be done in the mountains. The meeting was informed that Arapahoe County's share of this total should be one-third, the remainder to be divided among the four other directly-interested counties. After much discussion, the assemblage adopted a resolution requesting the County Commissioners of Arapahoe County to submit to a vote of the people the question of issuing bonds to the amount of \$200,000 and turning them over to the Colorado Central Company to aid in grading its roads. As the Denver people suspected that Loveland might attempt to

run the main stem to Golden instead of to their city, and give them nothing better than a spur-connection, the resolution specifically stated as a condition precedent to the issue of bonds by Arapahoe County that satisfactory assurances should be given that that part of the system should be built from the most desirable point on the Union Pacific "direct to Denver City," from which construction should be continued to Golden, thence to both Central City and Georgetown, and also upon a branch from Golden to Boulder City.

Carter's proposition was welcomed and generally approved by the people of Jefferson, Boulder, Gilpin and Clear Creek counties, in each of which a strong sentiment favoring immediate compliance with it was manifested. But within a short time after Carter's visit some surprising information came to all concerned in the plans that he had submitted. Having received a report of the proceedings of the railway-meeting held in Denver on July 11th, Isaac E. Eaton, a representative of the Kansas Pacific Company, announced that Carter had misstated its intentions, and that he was authorized by its officers to say that its road should be built to Denver, without any local assistance, as quickly as money and men could do the work; and also that surveying parties either had been or soon would be put into the field to locate the road upon a direct line to that city from the point to which Kansas Pacific grading had been practically completed. This was at or near the 100th meridian, where the company's bond subsidy terminated, leaving its land-grant as its only Federal endowment. It was true, as Carter had stated in part, that the Kansas Pacific Company still expected to be authorized and assisted by Congress to make its road a southwestern transcontinental line. Further advices from Kansas Pacific headquarters reached Denver early in August, and which were to the effect that that company would build both northwest and southwest; that the northwestern line should run directly to that city and on to a junction with the Union Pacific as required by the Congressional legislation in June, 1866; and that the southwestern should cross southeastern Colorado into New Mexico.

These assurances had caused some of the Denver people to question the expediency of issuing bonds to the Colorado Central, now that the Kansas Pacific Company was to build to their city without any financial assistance from them. But as there was much doubt among the majority as to the ability of the latter to fulfill its promises, and as the Arapahoe County Commissioners, in their authorization of the bond-election, had specified that the main stem of the Central should be built directly to Denver, the issuance of the bonds was approved on August 13th by 1,160 affirmative votes to 157 in the negative.

Meanwhile the survey of the Central's main stem had been commenced, starting from Cheyenne. By the 1st of September, this work was heading in a direction which obviously meant that the line should terminate at Golden City; and about the middle of that month the Central Company gave notice of its declination of the Arapahoe County bonds unless the requirement to build the main stem directly to Denver should be waived. Public sentiment in Denver now turned almost unanimously against any attempt at further proceedings in coöperation with that organization, and in favor of awaiting the relief which the Kansas Pacific Company had promised to afford them. All relations with the Central were suspended,

and in consequence of the turn of events the Arapahoe County bonds it was to have received never were issued. Officers of the Kansas Pacific in correspondence with citizens of Denver reassured them of the validity of their intentions to build their road in accordance with the representations that had been made in August; and surveys of the route to Denver had been begun at each end of the gap in the first week of September.

But Denver's confidence in the early coming of the Kansas Pacific soon was shattered. On November 8th, James Archer, a leader in the affairs of that road, and who became in later years a leader in those of Denver, arrived in that city, coming for the purpose of having a conference with its people. He was hailed joyfully, and all were anxious to hear what he had to say. But when it was learned that the object of his mission was to obtain from them financial assistance for the construction of his road to Denver in a sum ten times as great as that which had been asked by the Colorado Central, the adverse climax in the city's railway-situation appeared to have been reached. In a consultation with ex-Governor John Evans and others, and also in a public meeting held on November 14th, Archer stated that his company had been unable to finance the contemplated extensions of its road from the point in Kansas at which its Federal bond-subsidy terminated: that the proposed southwestern extension had been abandoned: that with the means at command the northwestern extension could be built no farther than Pond Creek, some sixty miles west of the 100th meridian; that the road soon would be stalled in the prairie wilderness of western Kansas unless the company received outside assistance: and that aid in the sum of \$2,000,000 would be required from the people of Denver to assure its construction to their city.

As the two millions were not only far beyond the limits of the people's resources, but would be an unduly large sum for such a purpose under any circumstances, the men to whom Archer first disclosed the conditions upon which his company would extend its road to Denver had realized that instant action must be taken to avert grave disaster to their community. To enable its citizens to act in concert in the crisis, a Board of Trade was organized on November 13th: and it was under the auspices of this body that the public meeting of the 14th was held. Two days later, the Board resolved unanimously at once to organize a company to build a railway directly from Denver to Cheyenne, a distance of one hundred and seven miles, on a course nearly due north. The preferred plan contemplated that the local company should grade the line and arrange with the Union Pacific Company for finishing and operating the road. But in the event of failure of the latter part of the programme, the local company was to be prepared to complete and operate the railway independently. It was calculated that the cost of making the road-bed ready for the track would be about \$500,000, but which later proved to be an underestimate. The "Denver Pacific Railway & Telegraph Company," the capital stock of which was to be \$2,000,000, was organized on November 18th by Joseph E. Bates, William M. Clayton, John Evans, Bela M. Hughes, W. F. Johnson, Luther Kountze, David H. Moffat, John Pierce and John W. Smith, members of the Board of Trade and who became the company's directors. On the 19th, Hughes was elected President, Kountze Vice President, Moffat Treasurer, Johnson Secretary, and F. M. Case Chief Engineer.

At public meetings held on these busy days the people of Denver were

reminded in the most solemn manner that each who had property or other interests in the city must decide at once upon the amount he should invest in the company's stock in order that the rest of his possessions might retain value. As I have related in a previous chapter, the future of Denver now was gravely menaced by the rise of the city of Cheyenne, Wyoming, which had been founded and was being fostered by interests identified with the Union Pacific Company. By November 22d, stock-subscriptions aggregating \$300,000 had been obtained. Some, by men of slender means but who were eager to participate in the good work, were made payable in cross-ties, labor or other service in railway building. At the instance of a small body of citizens who were less resolute than the great majority, overtures now were made to the Colorado Central Company suggesting that it accept Arapahoe County's bonds and join its forces with those of Denver, but which were repulsed by that stiff-necked organization. In response to this rebuff, the people of Denver had the Commissioners of Arapahoe County authorize an election to be held on January 20, 1868, on the question of the issuance by the county of bonds to the sum of \$500,000 to aid the construction of the Denver Pacific Railroad: the county to receive the company's stock to an equal par amount in exchange therefor. Of the 1,306 votes cast at the election only forty-seven were in the negative.

Removal of the Territory's capital from Golden City to Denver in the preceding month, in the accomplishment of which some shady means were employed, had helped to strengthen the position of the latter. The fact that Golden was the capital had been a source of humiliation to Denver's citizens, and they alleged that it had given the smaller town undue prestige abroad and there encouraged belief that it was and would continue to be the metropolis of Colorado.

Their loss of the capital had not seriously affected the energetic and aggressive spirit of the dwellers in Golden City, nor had the railway-proceedings at Denver checked the efforts of President Loveland to hasten the beginning of construction-work upon the Colorado Central, the main line of which now had been definitely located to that town. The first day of the year 1868 had been celebrated there by a formal initiation of labor upon the railway. The citizens of Golden assembled on that day, and, after the ceremonies of the occasion were over, graded in an easy place on the eastward side of the town a stretch of road-bed about two hundred feet in length. Had the Union Pacific kept out of the extreme northeastern corner of the Territory, this would have been the first grading for a railway upon Colorado's soil.

The vigorous action of the people of Denver had aroused the Kansas Pacific Company to a renewal of its efforts to induce them to assist in extending its road from the wilds of western Kansas to their city, where some business for the line could be obtained. In the fore part of January (1868), Thomas Carney, former Governor of Kansas, and J. P. Usher, representatives of the company, appeared in Denver to enter into negotiations to that end. At a public meeting held on the 13th to hear them, the ambassadors said that as their company finally had abandoned its southwestern project, its only hope rested upon the present plan to extend its road to Denver, and that they should be glad to learn the kind and amount of assistance which the city's people would contribute to the work. They were reminded in open meeting of their company's broken promises that

had been made in the previous year, and were informed that the citizens of Denver had resolved to construct a road to Cheyenne, from which purpose they could not now be dissuaded; that they had determined no longer to look to others for help, but should help themselves; and that while they should heartily welcome the completion of the Kansas Pacific to their city, the company would have to provide ways and means of its own for building the extension.

In February, John Evans and John Pierce, of the Denver Pacific directorate, in a conference with the Union Pacific interests, reached a provisional verbal agreement for their coöperation, and which was expected to result in the complete construction of the Denver Pacific before the close of that year. The local company was to begin work at Cheyenne, at once, and as road-bed sections in lengths of twenty miles were finished and supplied with ties the Union Pacific interests should lay the track and lease and operate the road. At this juncture, Bela M. Hughes resigned the presidency of the Denver Pacific, and was succeeded by W. F. Johnson, of Denver, who had taken an active part in these preliminary proceedings.

When, a few weeks later, at Cheyenne, the bargain made by Evans and Pierce was defined in a contract with Thomas C. Durant and Sidney Dillon, of the Union Pacific Company, some changes were made in the previous understanding. The Denver interests now were to expend \$500,000 in grading the line, and those of the Union Pacific were to provide the additional sum required for completing the road, which was to be equipped and operated by the latter. It was further provided that a corporation—the “Denver, Central & Georgetown Railroad Company”—should be organized to build a railway from Denver to Georgetown, with a branch to Central City, which clause was intended by Durant and Dillon to be of service to the Colorado Central; and also that application should be made to Congress for a land-grant to the Denver Pacific Company. However, in the following April, this contract was abrogated at the instance of Durant and Dillon and a new deal made, under which they and their associates were to build the road entirely; the Denver Pacific Company was to expend in grading under their direction the sum of \$500,000; in recompense for the outlay above that amount by the Union Pacific interests in finishing the line they should receive an equal sum in Denver Pacific stock; and finally that the Union Pacific interests should lease and operate the railway, paying a rental equivalent to eight per cent. on the \$2,000,000 of the Denver Pacific’s capital stock. Active construction-work was to begin early in May. Superficially this seemed to be a proposition advantageous to the Denver Pacific Company, but in reality it contained elements that could and doubtless would be used in converting it into rather a hard bargain. However, the situation forbade the Denver people to reject it.

In the meantime an attempt had been made to have the city of Cheyenne issue some bonds in aid of the road, but the committee of its Council to which the proposition was referred “forgot” to report thereon.

The Kansas Pacific Company had, in the spring of that year (1868), completed the survey of the route contemplated for the extension of its road from western Kansas to Denver, and also of one running northwesterly from that city to a point on the line of the Union Pacific, some thirty-five miles westward from Cheyenne.

Late in the following June, Senator James Harlan, of Iowa, acting

in behalf of the Denver Pacific Company, introduced into the United States Senate "a bill for a grant of land and granting the right of way over the public lands to the Denver Pacific Railway and Telegraph Company, and for other purposes." A bill to grant that company a right of way through the public lands had been introduced into the House on March 9th by Colorado's Delegate, George M. Chilcott, but no action on it had been taken. Harlan's bill provided that the Denver Pacific Company should have "the privileges and immunities, except subsidy in bonds, and be subject to the obligations of [those imposed on] the Union Pacific Railroad Company and its branches, and to aid in its construction [that of the Denver Pacific] shall have like grants of land, right of way, with like conditions, limitations, and privileges." The intended effect of the Harlan bill was to make the projected road of the Denver Pacific Company the connecting link, from Denver to Cheyenne, between the Kansas Pacific and the Union Pacific, and thus practically to consummate the purpose of the act of June, 1866, that required the Kansas Pacific to build to a connection with the Union Pacific at a point not farther west than fifty miles west of the longitude of Denver.

The Kansas Pacific interests opposed the Harlan bill until its passage by the Senate appeared to be a certainty, when they withdrew their opposition and formed an alliance with representatives of the Denver Pacific Company, then in Washington. Under an agreement with the latter, the Kansas Pacific Company was to assign and transfer to the Denver Pacific Company its right of way, land-grant, and all other rights, between Denver and the line of the Union Pacific road; and the bill was to be so amended as to confirm the assignment and transfer, and to provide a bond-subsidy, at the rate of \$16,000 per mile, for the Kansas Pacific Company, further to aid it in building its road westward from the 100th meridian. The bill was so amended, but as bond-subsidies then were beginning to wane in popularity the Kansas Pacific interests did not insist upon being given such aid on all the mileage to Denver. The amendment limited the bond-subsidy "to a point which shall be held and construed under existing laws to be at or near Cheyenne Wells in Colorado, and not further west than the meridian of said Wells," and left the Kansas Pacific Company, whose road now was stalled in western Kansas, to depend on its land-grant and its own resources for extending the line to Denver. The Denver Pacific Company had not asked for a bond-subsidy, but the bill authorized both it and the Kansas Pacific corporately to bond their roads and grants at the rate of \$32,000 per mile of main track.

The bill as amended was passed by the Senate on July 25th, but as Congress adjourned on the 27th the measure did not reach consideration by the House in that session. But as its later passage by the House seemed to be assured, the Kansas Pacific Company now transferred its right of way, land-grant, and so forth, between Denver and the line of the Union Pacific road, to the Denver Pacific Company, and thus giving the latter a tangible basis upon which to proceed during the interval.

The Kansas Pacific Company had not abandoned its project to build on to the Coast, toward which it intended to diverge from Cheyenne Wells upon the line of a provisional survey it had made for a southwestern route into southern California, and which crossed southeastern Colorado into New Mexico. The company also contemplated that in the event of Con-

gress still refusing to give it authority and assistance for the construction of its proposed California line that body of lawmakers could be persuaded to authorize and aid it to extend its road across southern Colorado or northern New Mexico and thence northwesterly to a connection with the Central Pacific, where it should be on an equality with the Union Pacific in the division of east-bound transcontinental traffic. At the time the company joined its forces with those of the Denver Pacific, a bill was before Congress to authorize it to build its projected southwestern line into southern California, and providing for bond-subsidies and a land-grant such as had been given the Union and Central Pacific companies. But the measure failed to become a law. Potent among the forces that opposed it was the Atchison, Topeka & Santa Fé Railroad Company, which now was preparing to build a road into the Southwest from Atchison, Kansas.

While awaiting legislation in its behalf at Washington, the Denver Pacific Company had not been entirely idle at home during the first half of the year 1868. Although the company then was without title even to a foot of right of way through the public lands, and it was known that track-laying on the line necessarily would have to be started at Cheyenne, nearly one-half of the route of its proposed road already had been determined and surveyed in detail northward from Denver. Ere the middle of May, it had appeared that all obstacles to a speedy construction of the railway soon would be removed, and therefore the company and the people of that city deemed it fitting that there should be a ceremonial beginning of construction-work at Denver immediately. This formal ground-breaking occurred on May 18th, upon a spot about a mile outside the then northeastern limits of the city, in the presence of a large concourse of people, which was enlivened by the music of brass bands, and to which ex-Governor Gilpin made one of his characteristic addresses.

However, in consequence of the insufficiency of its financial means at that time, the Denver Pacific Company, even had it possessed a right of way, was not yet ready to begin the shirt-sleeve work of building the road. The organization was embarrassed by the failure of its efforts to convert into cash Arapahoe County's bonds for \$500,000; which, as may be remarked here, did not become ready assets until a later period. The company's only resources at this juncture for the sinews of railway-building were the subscriptions to its stock by citizens of Denver. Moreover, and which was an important matter in view of the undetermined condition of the Denver Pacific's affairs at Washington, the Union Pacific interests had made no movement in the direction of complying with the contract that had been entered into with Durant and Dillon; and there were some unpleasant suspicions as to their ultimate intentions. By the 1st of June, it had become apparent that to comply with the terms of that contract as to the reimbursing issues of stock, and also to provide for accumulated indebtedness and various heavy incidental expenses incurred and to be incurred, the capital stock of the Denver Pacific Company must be at least doubled in amount. Therefore, on June 24th, the company's directors increased the sum of its stock to \$4,000,000, the equivalent of about \$37,400 for each of the 107 miles of the distance to Cheyenne.

But when the Kansas Pacific Company assigned and transferred its right of way and land-grant beyond Denver to the Denver Company, ways and means were opened to the latter for the immediate inauguration of

construction-work upon its road. Contractors engaged by the company began operations at Denver on September 13th. Before the outgoing of December, they had completed forty-eight miles of road-bed, which had been comparatively easy work, on the eastward side of the South Platte River to a point opposite the site of the present town of Evans, where the route crossed that stream, and where construction now was suspended. In the meantime, the Union Pacific interests still had delayed action upon their part. As they were toying with the Colorado Central proposition and shuffling as to their obligations to the Denver Pacific Company, and had done nothing toward keeping their promise to make a survey in detail of the Denver Pacific's route between the South Platte River and Cheyenne, it had become evident before the advent of winter that they did not intend to fulfill their engagements. In response to a peremptory demand made by the Denver Pacific Company about the close of that year for an explicit and final statement as to their purposes, they pleaded financial inability to comply with their agreement. The contract was canceled shortly afterward, and the relations of the Denver Pacific with the Union Pacific interests were severed.

Senator Harlan's bill in behalf of the Kansas Pacific and Denver Pacific companies was taken up by the House on January 19, 1869. Much opposition to its bond-subsidy provision was developed, and on January 25th the bill was referred to the House Committee on the Public Lands, a disposition of the measure that was intended to be fatal and which ended its career.

But, as Fortune favored, this worked no permanent harm to the Denver Pacific, as a remedy for the resultant complications quickly was brought forward. On February 2d, Senator Charles D. Drake, of Missouri, introduced into the Senate "a bill to authorize the transfer of lands granted to the Union Pacific Railway Company, Eastern Division [the Kansas Pacific], to the Denver Pacific Railway and Telegraph Company, and to expedite the completion of railroads to Denver, in the Territory of Colorado." The provisions of this measure, which proved to be greatly important to Colorado, and especially to Denver City, were as follows:

"*Be it enacted* [etc.], That the Union Pacific Railway Company, Eastern Division, be, and it hereby is, authorized to contract with the Denver Pacific Railway and Telegraph Company, a corporation existing under the laws of the Territory of Colorado, for the construction, operation, and maintenance of that part of its line of railroad and telegraph between Denver City and its point of connection with the Union Pacific Railroad, which point shall be at Cheyenne, and to adopt the road-bed already graded by said Denver Pacific Railway and Telegraph Company as said line, and to grant to said Denver Pacific Railroad and Telegraph Company the perpetual use of its right of way and depot grounds, and to transfer to it all the rights and privileges, subject to all the obligations, pertaining to said part of its line.

"Sec. 2. That the said Union Pacific Railway Company, Eastern Division, shall extend its railroad and telegraph to a connection at the city of Denver, so as to conform with that part of its line herein authorized to be constructed, operated, and maintained by the Denver Pacific Railway and Telegraph Company, a continuous line of railroad and telegraph from Kansas City, by way of Denver to Cheyenne. And all the provisions of law for the operation of the Union Pacific Railroad, Eastern Division, its branches and connections, as a continuous line, without discrimination, shall apply the same as if the road from Denver to Cheyenne had been constructed by the said Union Pacific Railway Company, Eastern Division; but nothing herein shall authorize the said eastern division company to operate the road or fix the rates of tariff for the Denver Pacific Railway and Telegraph Company.

"Sec. 3. That said companies are hereby authorized to mortgage their

respective portions of said road, as herein defined, for an amount not exceeding thirty two thousand dollars per mile, to enable them respectively to borrow money to construct the same; and that each of said companies shall receive patents to the alternate sections of land along their respective lines of road, as herein defined, in like manner and within the same limits as is provided by law in the case of lands granted to the Union Pacific Railway Company, Eastern Division [the previous grant]: *Provided*, That neither of the companies hereinbefore mentioned shall be entitled to subsidy in bonds under the provisions of this act."

This bill passed the Senate on February 16th; the House on March 2d; and was approved by the President on the next day.

Although it denied a further bond-subsidy to the Kansas Pacific, the enactment of this law marked the beginning of the end of the Denver Pacific's troubles, and cleared the way for providing the metropolis of Colorado with two railway outlets.

In the middle of that March, John Evans was elected President of the Denver Pacific Company, to succeed W. F. Johnson, who had died on the 5th of that month. Late in the following July, General William J. Palmer, who was then identified with the Kansas Pacific Company, went to Denver and perfected arrangements with the Denver Pacific Company under which the two organizations were to work together, and which included the transfer of a large part of the latter's capital stock to the Kansas Pacific Company. The latter now had negotiated in Germany a loan of \$6,500,000, and was fully prepared to complete its road to Denver without further delay. The recent act of Congress also had placed the Denver Pacific upon a substantial financial basis, and it had bonded its road and land-grant in the sum of \$2,500,000, bearing interest at seven per cent.

The detailed survey of the Denver Pacific's route from the South Platte River to Cheyenne now had been made, and John Evans, David H. Moffat, Walter S. Cheesman and several associates had contracted to complete the road. Grading on the section north of the South Platte, and which was pushed with great vigor, was finished about the close of November. Track-laying, which had begun at Cheyenne early in September, followed the graders closely, and by the middle of December the rails had reached the embryo town of Evans (named in honor of John Evans), which had recently been laid out at the point where the route crossed the South Platte. The road was put into operation between Cheyenne and Evans immediately, but further track-laying was deferred until spring.

Meanwhile, the Kansas Pacific, to the extension of which equal energy had been applied, had entered eastern Colorado, and grading had been well advanced beyond the end of its track.

Work on the Denver Pacific was resumed in the spring of 1870, and on June 15th, of that year, the first locomotive seen in Denver—one used in construction—entered the northeastern limits of that city. The ceremonious completion of the road occurred on June 24th, when the first passenger train arrived, and which was made a great gala-day.

Grading on the Kansas Pacific eastward from Denver was begun at that city on May 26th, and soon was followed by track-laying. By the evening of August 12th, the trackless section of the road had been reduced to a distance that was a little more than ten miles. The builders then resolved to cover the gap in ten hours of work, but as delivery of rails was delayed the job was not undertaken until the 14th. The rails met on that

day within the appointed time—a feat in construction-work that is still said to have been unsurpassed in railway-building. The first Kansas Pacific train to enter Denver arrived there in the evening of August 15th (1870).

With the consummation of these vital achievements Colorado's pioneer era was ended. While the burden of their accomplishment had been borne by citizens of Denver, the latter were amply compensated by the advantages and benefits their city derived from them. They gave impregnability to its position as the metropolis of the central parts of the region in which the Rocky Mountains lie. However, the Union Pacific Company refused cordially to cooperate with the Denver roads, and within a year its discriminations against them began seriously to embarrass both.

In the meantime, President Loveland had made some progress in building a portion of the system that had been proposed for the Colorado Central. In the summer of 1868, his company contracted for about six miles of grading extending eastward from Golden. The construction of the Kansas Pacific road to Denver and also of that of the Denver Pacific having been anticipated by Loveland, this section was to be a part of a line of standard gauge, which should not enter Denver, but follow the course of Clear Creek nearly to its mouth and thence to a connection with those roads at a point beyond the northeastern border of that city, in expectation of diverting traffic from them directly to Golden after their completion. Work under the initial contract was completed about the middle of autumn, and in November bargains were made for grading nearly the whole of the remaining distance to the eastern terminal. By the end of that year the expenditures upon the road had aggregated \$87,000. The company had received no Federal aid whatever, and although it was controlled by Union Pacific interests, these had not provided any funds for its construction-work. At that time the principal basis of the Colorado Central's financial resources consisted of the proceeds of bonds, of the par value of \$100,000, that had been voted to the company, in exchange for a like sum of its stock, by Jefferson County, in August, 1867.

Very little headway was made upon the Golden road during the year 1869. The company's forceful President had about exhausted its available means, and his Union Pacific allies still were lagging. But in the spring of 1870 they rallied to his aid, and in the summer of that year work upon the road was resumed. The line was completed and opened for business in the following September, the rails and rolling-stock having been supplied by the Union Pacific interests. The citizens of Golden welcomed their first passenger train on September 24th.

Excepting an interruption that continued for about three years, and which was due chiefly to the effects of the panic of 1873 upon the money-markets of the East, the period between 1870 and 1890 was one of great activity in railway-building in Colorado, and also in projecting roads that failed to pass from the "paper" stage.

In the autumn of 1870, the Denver & Boulder Valley Railroad Company was organized by the Denver Pacific and Kansas Pacific interests to build a branch of the Denver Pacific from the site of the present town of Brighton into the Erie coal-field, from which to draw supplies of fuel for their engines. The road was finished to the Erie mines, a distance of sixteen miles, in the following January. In 1873, it was extended to

Boulder City, to which it was completed on September 2d, of that year. The line now is the Boulder branch of the Union Pacific System.

After the construction of the Colorado Central's road from Golden City to its connection with the Denver Pacific and Kansas Pacific, in 1870, an ambitious campaign was inaugurated by the Central Company, in the affairs of which its Union Pacific allies now were taking a lively interest. The Central's system had been projected and surveyed as one of standard gauge, but the great cost of building a railway of that type in the mountains caused the company now to adopt the narrow gauge for its proposed mountain-lines. Grading a way up the gorge of Clear Creek was begun in the spring of 1871. Also in that year a route for a road of standard gauge was surveyed down the valley of the South Platte River, from Golden to a connection with the Union Pacific, at Julesburg. It was now intended that the main stem of the Central should be built upon this line, which ignored Denver and left that city in the lurch. The route was located by way of the Marshall coal-field, Boulder City, Longmont, and Greeley. Boulder County having voted \$200,000 and Weld County \$150,000 in bonds to aid the company, construction-work upon this line was commenced in September, 1872. By the middle of April, of the next year, the road was in operation from Golden to Longmont, and some miles of grading had been finished beyond the latter. Meanwhile, rails upon the Clear Creek division had reached Black Hawk, in December, 1872; and Floyd Hill, on the Georgetown section, in March, 1873. Another part of the Colorado Central's plans to isolate Denver and concentrate railway influences at Golden City, was the construction of a road, of standard gauge, southeastward from the latter to a connection with the Denver & Rio Grande Railroad, at the site of Littleton, and which was the immediate cause of the founding of that town, in June, 1872. The road-bed for this line, which had been located in 1872, and was some sixteen miles in length, was graded in the spring of 1873, but no track ever was laid upon it. The financial disturbances of that year caused the Colorado Central Company to suspend construction, which was not resumed until the spring of 1877. The Golden-Littleton grade, and the route of the Golden-Julesburg line beyond Longmont, now were abandoned. The main stem of the Central was extended northward from Longmont, through Fort Collins, and on to a junction with the Union Pacific, at a point about four miles west of Cheyenne, to which it was finished in November, of that year. One of the purposes in building this line was further to starve the Denver Pacific by diverting Colorado traffic from it to the new road, which practically was a division of the Union Pacific. The Clear Creek mountain-road was completed from Floyd Hill to Georgetown in August, 1877; and its branch up the North Fork of that stream to Central City was made ready for business in May, 1878.

The Kansas Pacific and the Denver Pacific had passed into the hands of Receivers in 1874, in consequence of the discriminations of the Union Pacific and effects of the panic of the previous year. In 1875, Jay Gould and his associates, who had acquired control of the Union Pacific in 1873, attempted to effect a consolidation of Union Pacific, Kansas Pacific, Denver Pacific, and Colorado Central interests, but were defeated by stockholders of the Central—mainly by the commissioners of Colorado counties that held Central stock received in exchange for bonds issued to aid in the construction of that road.

In the first half of the year 1879, Gould and his clique obtained full control of the Colorado Central, Denver Pacific, and Kansas Pacific lines. For a year or two before, there had been a vigorous rate-war between the Union Pacific and the Kansas and Denver Pacifics, and in which the last-named two, previously weakened by their antagonist's persistent diversion of through business from them to the limit of its ability to do so, had been severely worsted. President Loveland withdrew from the Colorado Central Company in November, 1879, at which time it possessed 173 miles of completed railway. In that month, the Union Pacific Company leased the Colorado Central's roads, and thereafter operated them as a part of its system until the spring of 1890; and in January, 1880, the Union Pacific Company absorbed the Denver Pacific and Kansas Pacific, the three becoming one great system. In the years 1881-82, the expanded Union Pacific Company, as lessee of the Central, built the "cut-off," from Julesburg to La Salle, upon Loveland's old survey, and which was made to figure as a division of the Central's system, although it had no rail connection of its own with the other Central roads. The "Loop" line, an extension of the Colorado Central from Georgetown to Graymont, and having a rail-distance of eight and one-half miles, but which now terminates at Silver Plume, was completed in June, 1884. It was the only achievement of the Georgetown, Breckenridge & Leadville Railway Company, a Union Pacific subordinate corporation that had been formed to build a railway upon the route indicated by its name.

All the mileage of the historic Colorado Central was merged into the aggregation of roads that constituted the system of the Union Pacific, Denver & Gulf Railway Company, a dependency of the Union Pacific Company, and which was organized early in 1890. In that year this company abandoned the Central's division from Fort Collins to Cheyenne and the greater part—the Golden end—of the section between Golden and Boulder, removing the rails from both. The new organization had provided for a direct entrance into Denver from Boulder by the acquisition of a road that had been built between those cities in 1886 by the Denver, Marshall & Boulder Railway Company.

Conspicuous among Colorado's successful early railway enterprises was that of the Denver & Rio Grande Railroad Company, incorporated and organized in October, 1870, under the leadership of General William J. Palmer, with provisions for \$14,000,000 of capital stock. The plans of the company anticipated a main line which should extend southward from Denver to El Paso, Texas, and there subsequently to connect with an allied railway which its projectors contemplated building on to the City of Mexico in later years. The Denver-El Paso line was to have lateral branches wherever the development of the country should require them.

However, the incorporators of the Denver & Rio Grande Company were not the first projectors of a railway southward from Denver along the eastern base of the mountains to the Mexican border, and thence to the capital of Mexico. Such a road, as well as some local lines from Denver into the southern parts of the Territory, had been proposed late in the '60s. In January, 1868, the United States & Mexico Telegraph Company, consisting of eight or ten citizens of Denver and two of towns in New Mexico, and which had been organized about a year before, was reincorporated as the "Denver & Santa Fé Railway & Telegraph Company," to

build a railway and a telegraph line from Denver to Santa Fé. The telegraph line was completed in July of that year, but the organization built no railway mileage. In the autumn of 1868, the members of this company, together with some new associates who were citizens of Denver, incorporated and organized the "United States & Mexico Railway Company" for the ambitious purpose of building a railway from Denver to the City of Mexico, and to extend the telegraph line from Santa Fé to the Mexican capital. Negotiations with the Mexican Government in behalf of the undertaking were opened: but, as Mexico was not in a condition to give it any aid, nothing was accomplished toward concluding a treaty of alliance. The company had laid claim to a right of way out of Denver, upon which some rather nominal work was done before the organization of the Denver & Rio Grande Company. While John Evans and his associates were striving to put the Denver Pacific Company's enterprise squarely upon its feet, they were also planning the construction of other railways in Colorado. Among these was the proposed "Denver & Santa Fé Railroad," which was to reach its southern terminus by way of Colorado City, Pueblo, and the Raton Pass. Another was the projected "Denver, South Park & Rio Grande Railroad," which was to cross the mountain valley of the Arkansas River and enter the Rio Grande Valley by a route that is implied by the road's name, and perhaps be extended into New Mexico.

Aside from General Palmer, who had become a citizen of Colorado, and A. C. Hunt, recently Governor of the Territory, the Denver & Rio Grande's incorporators and directors were eastern men, by whom the bulk of its capital was provided. The company adopted the narrow-gauge type of railway, which at that time was coming into favor in many of the eastern States. Beyond the grant of a right of way through public lands along its line the organization received no Federal assistance, as the Congressional policy of aiding railway companies then was beginning to go out of fashion. The work of grading the Denver & Rio Grande began at Denver in March, 1871; and track-laying was started on July 27th, following. The rails reached the locality of Colorado City, seventy-five miles distant, on October 21st, when regular trains were put upon the line. The road was finished to Pueblo, 119 miles from Denver, at the end of June, 1872; the citizens of Pueblo County having in the meantime voted in favor of trading their county's bonds to the sum of \$200,000 for a like amount of the company's stock. Before the close of that year, a branch was built from Pueblo into the coal-field adjacent to the site of the present town of Florence. Excepting the extension of this branch on to Cañon City, eight miles farther west, in 1875, and for which Fremont County exchanged bonds in the sum of \$50,000 for an equal sum of Rio Grande stock, the Company's construction-work rested until 1876, in which year the line southward from Pueblo was built to the town of El Moro, near Trinidad, a distance of eighty-seven miles; and to this was added a branch, about twenty-two miles in length, from Cuchara to La Veta.

Nearly all the trackage that constitutes the present net-work system of the Denver & Rio Grande in Colorado was constructed within fifteen years thereafter, in which period the main line became a transmontane instead of the north-and-south trunk railway to the border of Mexico that was contemplated by the original design. As the mineral and agricultural resources of the parts of the State now covered by its system were revealed,

railway-building into them followed immediately. Among the more important construction in that period was the extension of the Pueblo-Cañon City branch to Leadville, which was completed in August, 1880. The mountain line westward from Salida, by way of Gunnison, Montrose, and Grand Junction, reached the Colorado-Utah boundary on December 19, 1882. An allied corporation, the Rio Grande Western Railway Company, formed a few years before, and which had acquired control of a narrow-gauge road in operation from Salt Lake City southeastward to Clear Creek, Utah, in the meantime had extended that road to the Colorado boundary, where it was connected with the Denver & Rio Grande's track. This junction completed a narrow-gauge route from Denver, by way of Pueblo, to Salt Lake City; and in 1883 it was extended to Ogden. The Denver & Rio Grande Company operated it until the autumn of 1884, when the Rio Grande Western Company, having leased the Denver & Rio Grande's track west of Grand Junction, took active charge of its road together with the rented mileage in connection with the Denver & Rio Grande, at Grand Junction. This arrangement was continued until several years ago, when the lines of the Rio Grande Western were merged into the Denver & Rio Grande's system and the former corporation ceased to exist. About that time, the Denver & Rio Grande Company and all its properties became controlled by the Missouri Pacific interests, which continue in command of the system, and have built the "Western Pacific Railway," between Salt Lake City and San Francisco. In connection with this new road the main line of the Denver & Rio Grande forms a part of another transcontinental steel highway.

The Santa Fé division of the Denver & Rio Grande was finished from Antonito, Colorado, to Espanola, New Mexico, in December, 1880; and was opened to Santa Fé in 1886 by a subordinate organization. The more important of the company's recent extensions is a road of standard gauge from our city of Durango to the town of Farmington, in northwestern New Mexico. Until 1881, all of the Denver & Rio Grande's tracks were of the narrow gauge. The addition of the standard gauge by means of a third rail was begun in that year, and which was first made upon the division between Denver and Pueblo. Since that time the work has been continued at intervals, and at present the standard gauge extends over about three-fourths of the system's mileage. The narrow gauge now has been eliminated from these parts, leaving it only upon minor lines in the mountains.

The Union Pacific Company's adverse policy in relation to the Denver Pacific and Kansas Pacific companies had become so harrassing by the close of the year 1871 that the latter were driven to consideration of means by which they might be placed in a stronger position. For this purpose, they concluded that they should build a railway of standard gauge westward from Denver into Utah and thence to a connection with the Central Pacific. In order that executive authority over the two worried roads should be lodged in one management, President John Evans and most of the other Denver officers of the Denver Pacific resigned at the beginning of March, 1872. Evans was succeeded by Robert E. Carr, who was also President of the Kansas Pacific, which now took full control of the Denver Pacific and operated it. About a week later, the "Denver, Georgetown and Utah Railway Company" was incorporated and organized by the interests now in command of the allied roads, with Carr as President. This company's line was to be built from Denver, by way of Mount Vernon Cañon,

to Idaho and Georgetown, and thence into Utah upon the wagon-route that E. L. Berthoud had surveyed some ten years before. It was also to have a branch from Idaho to Central City, and a division extending northwesterly from Denver, through the Boulder County coal-field, and on, by way of Boulder City, into the Middle and North parks. In April, of that year, Clear Creek County, having lost faith in the ability of the Colorado Central Company to construct its Clear Creek road to Georgetown, voted bonds to the amount of \$200,000 to aid the new enterprise; and Arapahoe County voted \$100,000 in bonds for the same purpose in the following November. However, these bonds were not issued, as the Denver, Georgetown & Utah proposition collapsed under the financial pressure of 1873 and was blown away by the monetary gale of that year.

In the meantime, the group of Denver men who had been the leaders in the work of promoting and constructing the Denver Pacific road, but now had parted largely, if not wholly, from their financial interests in it, had organized an independent company to build a railway westward from their city. In consequence of the active operations of the Denver & Rio Grande Company, they had now abandoned their earlier purpose to construct railways from Denver into the southern parts of the Territory, but still had nursed the project for a road westward, in the interests of Denver, as had been proposed in their contract with Durant and Dillon, of the Union Pacific, made in the spring of 1868 and cancelled about a year later. But now they had even a greater undertaking in view. On September 30th (1872), they incorporated the "Denver & South Park Railway Company," with a capital stock of \$2,000,000, and of which John Evans was elected President, David H. Moffat Vice President, George W. Kassler Secretary, and Charles B. Kountze Treasurer. As the Colorado Central now had occupied a part of the gorge of Clear Creek, the South Park Company's road, which was to be of narrow gauge, was to enter the mountains by way of the Bear Creek depression. It was to be built into the South Park immediately, and ultimately to be extended across the Continental Divide and thence west or southwest to the Pacific Coast—a most ambitious proposition. The plan also anticipated that the construction of the Denver, Georgetown & Utah Company's road might begin on the South Park line at a point near the head of Bear Creek, that company to use the South Park road-bed from Denver to the junction. The relations of the Kansas Pacific interests with those of the Union Pacific had moved from bad to worse, and the former's need for a connection of its own with the Central Pacific was becoming more acute month by month.

Further than some preliminary surveys, the original South Park Company accomplished nothing. It was reorganized in June, 1873, as the "Denver, South Park & Pacific Railway Company," with authority for a capital of \$5,000,000, by the same interests and under the same officers, but without regard to the now uncertain project of the Denver, Georgetown & Utah Company. In the next month the citizens of Arapahoe County elected to exchange their county's bonds for \$300,000 for a like amount of the new company's stock, upon condition that its road be completed within nine months to the town of Morrison, which had been laid out in October, of the previous year, at a railway distance of seventeen miles from Denver. Through the agency of a construction company, which was an inner wheel, the line was finished to Morrison on July 1, 1874—

a little later than the requirement specified. In the meantime the road's course into the mountains had been changed. A route from what is now Sheridan Junction, near the present southwestern limits of Denver, had been located up the South Platte River, and through its cañon into the South Park; and some grading had been done between Sheridan and the cañon. But the effects of the financial panic in the previous autumn now compelled the company to suspend construction.

It was not until two years had elapsed that preparations were made to resume the construction of the South Park line. Financial conditions having become easier, another inner-wheel construction-company was organized for that purpose in July, 1876. This corporation completed the road from Sheridan Junction to Bailey's Ranch, on the North Fork of the South Platte, early in the summer of 1878. A third subordinate construction-company now took up the task of building it from Bailey's Ranch into and through the South Park. Inspired by the developments in silver-mining at Leadville, work was pushed with great vigor in the autumn of 1878 and in 1879 in a race to enter that district in advance of the Denver & Rio Grande Company's extension of its Cañon City branch up the mountain valley of the Arkansas, and which then was under construction. In November, 1879, Jay Gould and his associates, who were now in command of the Union Pacific, Kansas Pacific, Denver Pacific, and the Colorado Central, and had purchased a large interest in the South Park Company, bought at par practically all the rest of the latter's stock and took possession of the corporation. The South Park road lost the race to Leadville. In the autumn of 1880, it obtained an entrance into the great "Carbonate Camp" by trackage privileges upon the Denver & Rio Grande road, from Buena Vista. In 1883, Jay Gould and his party retired from control of the group of western railways over which they had dominated since the spring of 1879, leaving them bearing a huge burden of obligations.

In later years, the South Park line was connected with Leadville, from Como, by way of Breckenridge; the older division was extended from Buena Vista into the Gunnison country, and some short branches were built. In the hey-day of the Leadville "boom" the road did a heavy business, but its later history is a story of disaster. Having been overburdened by the Gould method of "financing," which was nothing more than legalized piracy, it was sold under foreclosure, in July, 1889, and purchased by the holders of its bonds. These interests organized the "Denver, Leadville & Gunnison Railway Company," transferred the property to this organization, and shortly afterward made the road an appendage to the Union Pacific, Denver & Gulf System, which, as I have mentioned heretofore, was formed early in 1890, and which was collapsed by the panic of 1893. The South Park lines, having some three hundred miles of track, and at present a part of the Colorado & Southern System, still retains the narrow gauge.

The Atchison, Topeka & Santa Fé Railway entered the eastern border of Colorado in the summer of 1873. The system of this corporation is the outgrowth of one of the pioneer railway enterprises west of the Missouri River—the "Atchison & Topeka Railroad Company," organized in February, 1859, to build a road between the two Kansas towns signified in its corporate name. This company, which had received a small land-grant, was reorganized in March, 1863, as the "Atchison, Topeka & Santa Fé Railroad Company," with intentions to build a railway from Atchison to

Santa Fé. Congress increased its land-grant to about 3,000,000 acres, but the beginning of work upon the line was delayed for several years, when control of the company passed to interests centered in the city of Boston. These interests, having successfully opposed the Kansas Pacific Company's southwestern project, and having received from Congress an additional land-grant, of the usual dimensions, but which did not include any land in Colorado, began active work in 1869. The road was completed to a point on the Arkansas River, some thirteen miles west of the eastern boundary of our State, and where the village of Granada now stands, early in July, 1873. In consequence of the financial panic in the following autumn, construction rested here for about two years, in which period Granada became a lively cattle-shipping town.

Before resuming work, the Santa Fé Company asked for local assistance in extending its road farther into Colorado, pleading its lack of a land-grant in the Territory as one of the reasons why it should be so aided. In response to this appeal, the people of Bent County, which then embraced a much larger area than it does at the present time, gave the company \$150,000 in county bonds for an equal sum of its stock; and those of Pueblo County made a like trade to the amount of \$350,000, upon condition that the road should be built to Pueblo City without undue delay. The proceeds of these bonds were nearly equivalent to the cost of grading the road-bed to Pueblo. The track reached La Junta in December, 1875, and was finished to Pueblo and opened for traffic on March 1, 1876.

Construction of the Santa Fé's division that traverses southeastern Colorado, from La Junta to Trinidad, and enters New Mexico by way of the Raton Pass, was completed at the end of November, 1878. For several years thereafter, and until the present tunnel was bored, the summit of the Raton Mountains was crossed by the "switch-back" method. The company extended its Pueblo line to Cañon City in 1878; and its division between Pueblo and Denver was made ready for operation in October, 1887.

The Kansas Pacific Company was an intruder in a part of the Santa Fé's domain in Colorado for a few years. In 1873, it built a branch from its main line, from the town of Kit Carson, in our present Cheyenne County, to West Las Animas, which in one sense was the predecessor of the modern Las Animas, the county seat of Bent County. This branch, which was the beginning of what was intended to be an extension of the Kansas Pacific to the Pacific Coast, was completed to West Las Animas in October of that year; and in the autumn of 1875 it was extended to La Junta. As the Kansas Pacific Company became unable to proceed farther with the construction of the road, and was forced forever to put aside its ambition to build on to the Western Ocean, the entire line from Kit Carson to La Junta was abandoned in the summer of 1878, its serviceable materials being removed for use elsewhere.

The Colorado division of the Chicago, Burlington & Quincy System was built early in the '80s. The "Burlington & Missouri River Railroad in Nebraska" had been completed from Plattsmouth to Kearny Junction in September, 1872, by a Burlington corporation organized in May, 1869, and which had a land-grant that terminated at the western end of that section of road. An extension of this line through the southern part of Nebraska reached the eastern boundary of Colorado in March, 1881. In the meantime, the "Burlington & Colorado Railroad Company" had been

formed by Burlington interests to continue the Nebraska road to Denver, a work that was accomplished by the end of May, 1882. The Burlington line from Holdrege, Nebraska, through northeastern Colorado and on to Cheyenne, Wyoming, was built in 1885-87. In 1892, the Burlington Company bought the Denver, Utah & Pacific Railroad, of narrow gauge, extending northwesterly from Denver, by way of Longmont, to Lyons, Colorado, and changed its gauge to the standard. It was believed at that time and for some years afterward that the Lyons road was to be made a part of a Burlington extension across northwestern Colorado to Salt Lake City; but it still remains a local branch. Late in the decade of the '80s, the Burlington Company expended a large sum of money in grading and tunnelling in the depression drained by South Boulder Creek for a transmontane extension of its main line to Denver, but after working upon it for about two years abandoned the project. A "cut-off" connection between the Colorado and Montana divisions of the Burlington System was completed in September, 1900. Diverging from the Colorado division at the town of Brush, eighty miles northeast of Denver, and utilizing twenty-four miles of the Union Pacific's Julesburg-La Salle line, this connecting road joins the Montana division at Alliance, Nebraska.

The Burlington's branch from Denver to Longmont and Lyons was the work of one of several railway companies that were organized in the first half of the '80s to build roads in the northern parts of Colorado, but of which not all were successful. The "Denver, Utah and Pacific Railroad Company" was organized by Denver men in December, 1880, with the ambitions suggested by its corporate name. The road was opened to Longmont in November, 1881, using under a lease the road-bed of the Denver, Western & Pacific, between Utah and Burns junctions. In April, 1884, the company absorbed the Colorado Northern Railway Company, which had done some work upon a road westward from Longmont. The completion of the latter to Lyons in September, 1885, and the building of some short branches to coal-mines ended the construction-work of the Denver, Utah & Pacific Company. The Denver, Western & Pacific Company, a Denver organization that also had high aspirations, after having finished its grade from Denver to the Marshall coal-field, in 1881, went into a state of suspended animation, and later into the hands of a Receiver. It was reorganized in the spring of 1885 as the "Denver, Marshall & Boulder Railway Company." This corporation finished the road to Boulder in 1886, and two years later built a branch from Louisville to Lafayette. In 1882-83, the "Greeley, Salt Lake & Pacific Railway Company," an offspring of the Union Pacific, built about thirteen miles of narrow-gauge road from Boulder to Sunset; in 1882-84, this company constructed a road, of standard gauge, from Greeley to Fort Collins and thence to the village of Stout; and in 1887 built the short line that connects the towns of Loveland and Arkins. Nearly all of the mileage constructed by this company and, as I have heretofore mentioned, that of the Denver, Marshall & Boulder Company, also, later became parts of the Union Pacific, Denver & Gulf System.

In January, 1881, the group of Denver men who had been identified with the Denver Pacific and the Denver, South Park & Pacific roads, together with some new associates resident in that city, organized the "Denver & New Orleans Railway Company," with a capital of \$10,000,000, and with John Evans as President. The company's original purpose was

to build a railway of standard gauge southeasterly from Denver, by way of La Junta, into Texas, to connections with the Texas Pacific and other roads in that State, thereby forming a through and direct route from Denver to New Orleans. A few months later, it was decided to build south from Denver to Pueblo and then southeasterly into Texas. Work upon the line, which passed about nine miles east of Colorado Springs, was begun in 1881, and by the close of the next year the road was completed to Pueblo, with a branch to Franceville and another to Colorado Springs. Notwithstanding this brilliant beginning, the company fell into financial straits before anything was done toward extending the road beyond Pueblo; and in March, 1885, its property was sold under foreclosure and purchased by holders of its bonds, who organized the "Denver, Texas & Gulf Railroad Company," the directors and officers of which were about the same as those who had had charge of the defunct corporation. However, the new company did not attempt further construction, and the Texas end of the original project remained in abeyance until 1887.

In April, of that year, the "Denver, Texas & Fort Worth Railroad Company" was organized by the interests then in control of the enlarged Union Pacific System and of the Colorado Central's roads, and which had in contemplation the formation of the Union Pacific, Denver & Gulf System, which was accomplished three years later. Having bargained for the use of the Denver & Rio Grande division between Pueblo and Trinidad by means of the addition of a third rail, the Denver, Texas & Fort Worth Company built with great despatch a road from Trinidad southeasterly and across the northeastern corner of New Mexico to Texline, Texas, to which place it was completed and opened for traffic in April, 1888, one year after the company's organization. The Denver, Texas & Fort Worth interests earlier had acquired control of the Fort Worth & Denver City Railway Company, an old Texas organization that had done some work upon the Fort Worth (Texas) end of its proposed line before 1880. This road had been built to Texline, under the new dispensation, late in January, 1888. When the Denver, Texas & Gulf reached that point, a through route from Denver to Fort Worth was formed, with several connections thence to the Gulf Coast. The Denver, Texas & Gulf Company and some subordinate organizations also built a number of short branches in southern Colorado, most of which were for the purposes of coal-traffic.

In the spring of 1890, the Denver, Texas & Gulf Company's road, from Denver to Pueblo, and the Denver, Texas & Fort Worth with all its belongings, were merged into the Union Pacific, Denver & Gulf System. The transfer of the Denver, Texas & Fort Worth conveyed control of the Fort Worth & Denver City Company, which, however, remained a separate corporation.

The Colorado division of the Missouri Pacific system of railways was completed to Pueblo, its western terminus, in 1887. The principal purpose for which it was built, and which it has served since its construction, was that of making a direct and allied connection with the Denver & Rio Grande System, thus forming practically an eastern extension of the latter. As I have already stated, the Denver & Rio Grande lines now are controlled and operated by Missouri Pacific interests.

The Colorado Midland Railway Company, whose main road begins at Colorado Springs and ends at Grand Junction, was organized in November,

1883, as a subordinate of the Atchison, Topeka & Santa Fé Railway Company, which became the holder of all its stock. Construction of the Midland was started at Colorado Springs in 1885, and was finished to New Castle, twelve miles west of Glenwood Springs, in January, 1889. In 1889-90, the Midland and Denver & Rio Grande companies jointly built the present road between New Castle and Grand Junction, in which each continues to have an equal interest. The Midland was operated as a part of the Santa Fé System until February, 1894, when a Receiver took charge of it. Upon the company's reorganization several years later, its road was segregated from the Santa Fé and operated independently until the spring of 1900, when its control passed to the Colorado & Southern and Rio Grande Western Companies. The Rio Grande Western's interest in it was transferred to the Denver & Rio Grande Company when the former was absorbed by the latter a few years ago, and by which, jointly with the Colorado & Southern, the Midland is owned at the present time.

The Chicago, Rock Island & Pacific Company's Colorado line, which was completed to its terminus at Colorado Springs in the year 1890, still holds its place as the last railway built into our State from the East. The Rock Island Company, successor to an old Illinois organization that had had a road in operation between Chicago and the Mississippi River before the Civil War, had built into the northwestern quarter of Kansas in the last half of the '80s. The construction of its extension into Colorado was an expeditious but unostentatious work. The line crosses the Denver-Kansas City division of the present Union Pacific System—the old Kansas Pacific—at Limon, between which and Denver Rock Island passenger trains are run upon the rails of that road.

The Colorado & Southern Railway Company is the successor of the inflated Union Pacific, Denver & Gulf Railway Company, which, as the reader has seen, was organized early in 1890. The latter's system had consisted of the Colorado Central's lines, including the Julesburg-La Salle "cut-off"; the Denver, Texas & Gulf Railroad; the Denver, Texas & Fort Worth Railroad, with its control of the Fort Worth & Denver City Railway; sundry local roads that were subordinate to or connected with these; the Cheyenne & Northern Railway, in Wyoming; and with the Denver, Leadville & Gunnison Railway as a tail to the kite, but under a separate corporation. This organization and its suzerain, the Union Pacific Company, the system of which then also included the Denver Pacific and the Kansas Pacific, were wrecked by the effects of the panic of 1893, the dependent company having liabilities amounting to about \$75,000,000. The Julesburg-La Salle division having been set off to the reorganized Union Pacific Company, the rest of the Union Pacific, Denver & Gulf Company's properties, together with those of the Denver, Leadville & Gunnison Company, were sold under foreclosure, in 1898. These were purchased by the bond-holding creditors, who organized the Colorado & Southern Company, which has owned and operated the collection of roads as one system since that time, and to which some short branches have been added. Command of the Colorado & Southern Company recently was acquired by interests identified with the transcontinental Great Northern Railway, for purposes which remain to be developed.

In times "before the panic of '93," which is an event in the annals of our State that shall not soon be forgotten, a number of Colorado railway-

propositions of varying dimensions reached the "projected" stage, but went no further. The history of these begins and ends with entries in the records of incorporations kept in the office of the Secretary of State. However, several independent local railways, other than those of which I have given some account upon the pages of this chapter, were constructed in that period. The Denver & Middle Park Railway Company built four and one-half miles of narrow gauge road, from Ralston to Glencoe, in the foothills west of Denver. The Colorado & Eastern, of narrow gauge, extending from Denver eastward to the village of Scranton, seventeen miles distant, was laid down in 1888, but now is in a comatose condition. Construction of the Manitou & Pike's Peak Railway, the "Cog-wheel Route," from Manitou to the summit of Pike's Peak, a rail distance of a little more than nine miles, was projected as early as 1884, when some grading was done for a circuitous line that was intended to be thirty miles in length. Construction of the present road was begun in 1889 and finished in the autumn of the next year. The narrow-gauge road from Boulder to Sunset, Ward and Eldora, in the mountains, now known as the Denver, Boulder & Western Railway, is an enlargement of the line built by the old and long defunct Greeley, Salt Lake & Pacific Railway Company. The Denver, Lakewood & Golden Railroad, lately transformed into the Denver & Intermountain Railway, was built in 1891. Work upon the Florence & Cripple Creek Railroad, that connects Florence and Cañon City with Cripple Creek, was begun in the spring of 1893 and finished about a year later. This road, which was the first to enter our most famous gold-district, now is the property of the Cripple Creek Central Railway Company, which also owns and operates the Midland Terminal Railway, built not long after the completion of the Florence & Cripple Creek, from Divide, on the Colorado Midland, to Cripple Creek, a track-distance of thirty miles.

But for several years following the financial storm of 1893, but little railway mileage was constructed in Colorado. The Colorado Fuel & Iron Company, of Pueblo, built what it calls the "Southern Division" of its "Colorado & Wyoming Railroad," and which has about thirty-five miles of main track, extending southwest from Trinidad, and used principally for coal traffic. This company also owns the Crystal River Railroad, which it built in the year 1900, from Carbondale, on the Glenwood-Aspen branch of the Denver & Rio Grande System, to Placita and Coal Basin, by way of Redstone, and having thirty-one miles of track. The Silverton Railway, twenty miles in length, owned by an individual, was constructed about the same time, and to which some short branches since have been added. The Colorado Springs & Cripple Creek District Railway, from Colorado Springs to Cripple Creek, and which was built by a corporation formed in 1899, is one of the later additions to Colorado's family of railroads. While the "air-line" distance between its terminals is about twenty-five miles, there are fifty miles of track upon the winding course of this picturesque line. Of recent construction, is the Uintah Railway, fifty-four miles long, extending from Mack, a station on the Denver & Rio Grande's main transmontane line, sixteen miles west of Grand Junction, north by west to Dragon, which is situated just within the eastern border of Utah. Another new line is that of the Great Western Railway Company, which has between thirty and forty miles of track that ramifies the Loveland-Hillsboro sugar-beet district in Larimer and Weld counties, connecting Loveland

with Johnstown, Liberty, and Hillsboro. Still another is the Argentine Central, a "scenic" road, from Silver Plume, on far-upper Clear Creek, to the summit of Mount McClellan, a distance of sixteen miles.

In 1906, the construction of a road of standard gauge on the north side of the Arkansas River, in the sugar-beet district in the valley of that stream, and extending from Rocky Ford to Holly, upon a line about eighty-five miles in length, was undertaken by local interests, which graded a large part of the way. In this incomplete condition, the project was taken over in 1907 by the Sante Fé Company whose main line it parallels within sight, and by that company was completed in 1908.

The most important railway-construction in Colorado in late years is that of the Denver, Northwestern & Pacific Railway Company, which is building a direct trunk-line between Denver and Salt Lake City. The company was incorporated and organized in July, 1902, with authority for \$20,000,000 of capital stock, by David H. Moffat, Walter S. Cheeseman, William G. Evans, George E. Ross-Lewin, Samuel M. Perry, Frank B. Gibson and Charles J. Hughes, all of whom were citizens of Denver. David H. Moffat, who, as the reader will recall, was one of Colorado's pioneer railway-builders, has been President of the company since the day of its organization. Active construction of the "Moffat Road", as it is popularly known, was begun in the spring of 1903; and on June 23, 1904, traffic was initiated upon the completed section from Denver into the foothills. The road enters the mountains by way of the cañon of South Boulder Creek, at a point some twenty miles northwest of Denver, and passes over the Continental Divide in a locality lying in the southwestern corner of Boulder County. The company's plans provide for a tunnel, which will be several miles in length, under the Divide; and upon the completion of this bore the maximum grade of the road will be that of two per cent. The route by which this railway enters the mountains and crosses the Divide is one of the several that were proposed for the Union Pacific's mountain-crossing, and the same upon which the Burlington Company expended, as I have heretofore mentioned, a large sum in surveying and grading for its intended extension from Denver into Utah about twenty years ago. The Moffat road was completed early in the spring of 1909 to Steamboat Springs, in Routt County, a rail distance of 214 miles from Denver. In the construction of the road, as well as in that of the others which cross the Rocky Mountains in Colorado, engineering difficulties as great as any ever encountered elsewhere by builders of railways were overcome.

Another important railroad now under construction is that of the Denver, Laramie & Northwestern Railway Company, and which is designed to extend from Denver to the coal-fields of Carbon County, Wyoming, by way of the town of Laramie, and ultimately to Puget Sound. The company, of which Charles Scott Johnson is President, William E. Green Vice-President, Zeph. Charles Felt Secretary, and W. E. Skinner Treasurer, was incorporated and organized in January, 1906; and at the time of this writing the section of its road from Denver to Greeley is ready to be opened for traffic.

Other new railroad-construction in Colorado is that of the Union Pacific Company, which has entered upon a building-programme for about sixty miles of branches in Weld and Larimer counties.

Some progress has been made in recent years in building interurban electric railways in Colorado. The first of these was the system that con-

nects the various towns in the Cripple Creek mining-field. A similar system, but of lesser extent, is in service in the Central City district. The Denver & Northwestern Railroad is an electric line in operation between Denver and Golden, with a branch to Leyden, a coal-mining village about eight miles northward of Golden. The Denver & Interurban Railroad, an appendage to the Colorado & Southern system of steam railways, extends from Denver to Boulder, with a branch from Marshall to Eldorado Springs. The old Denver, Lakewood & Golden line, now the Denver & Intermountain Railway, has been electrified. Three or four other interurban lines have been projected in other parts of the State, with fair prospects for their early construction.

At the time this record closed, there were in operation upon Colorado's soil 4,111 miles of steam railway and more than one hundred miles of electrified interurban roads.



GOVERNOR ALBERT W. MCINTIRE

CHAPTER XXIV.

EARLY MISCONCEPTIONS OF THE WORTH OF THE FAR WEST.—PIONEER DISCOVERIES OF GOLD IN THE PIKE'S PEAK COUNTRY.—DEVELOPMENT OF MINING FOR THE PRECIOUS METALS IN COLORADO.—THE CLEAR CREEK DISTRICT.—DIFFICULTIES IN DEALING WITH REFRACTORY ORES.—THE TWO DIVISIONS OF THE CLEAR CREEK DISTRICT.—LATER HISTORY OF THE DISTRICT.—THE BOULDER DISTRICT.—"PATENT" PROCESSES FOR EXTRACTING GOLD.—CARIBOU SILVER-DISTRICT.—THE WARD SECTION OF THE BOULDER DISTRICT.—TUNGSTEN IN THE BOULDER FIELD.—SOUTH PARK AND BRECKENRIDGE DISTRICTS.—DREDGING FOR GOLD IN THE PLACERS OF THE BRECKENRIDGE DISTRICT.—LEADVILLE DISTRICT.—CIRCUMSTANCES OF THE DISCOVERY OF ITS LEAD CARBONATES.—REMARKABLE DEVELOPMENTS AT LEADVILLE.—GREAT OPULENCE OF SOME OF ITS MINES.—PRESENT CONDITIONS IN THE DISTRICT.—DISCOVERY OF SILVER ON THE ROARING FORK OF THE GRAND RIVER.—RISE AND DECLINE OF MINING IN THE ASPEN DISTRICT.—THE SAN JUAN COUNTRY.—MINING DEVELOPMENTS IN THAT SECTION OF THE STATE.—TELLURIDE AND RICO.—METEORIC CAREER OF CREEDE.—THE CRIPPLE CREEK DISTRICT.—INEFFECTIVE PROSPECTING IN THAT LOCALITY IN 1874 AND '81.—"CHICKEN BILL"'S SALTED DIGGINGS.—ORIGIN OF THE GREAT GOLD-CAMP.—CHARACTER AND RICHNESS OF ITS ORES.—PRESENT METHOD OF TREATING THEM.—THE DISTRICT'S FUTURE.—RARE METALS IN COLORADO.—DISCOVERY OF CARNOTITE.—COLORADO'S NON-METALLIC MINERAL RESOURCES.—MARBLES AND GRANITES.—PRODUCTION OF CEMENT.—DEPOSITS OF FIRE CLAY, AND THEIR UTILIZATION.—PROBABLE FUTURE DEVELOPMENT OF THE STATE'S MINERAL RESOURCES.—STATEMENT OF THE PRODUCTION OF GOLD AND SILVER IN COLORADO SINCE 1858.

By W. F. R. MILLS.

For many years the name of our State has been synonymously associated in the public mind with the industry of mining for the precious metals. The rise and great development of the State, as well as of a considerable other portion of the Far West, is due in no small measure to the success of mining in Colorado. Less than three-score and ten years ago, it was difficult for some of the more brilliant of our statesmen of that period to conceive that any good thing could come out of the western empire. Speaking in the United States Senate, in 1844, on the subject of acquiring more territory in the West, Senator Daniel Webster, of Massachusetts, said:

"What do we want with this vast worthless area, this region of savages and wild beasts, of deserts of shifting sands and whirlwinds of dust, of cactus and prairie dogs? To what use could we ever hope to put these great deserts or those endless mountain ranges, impenetrable and covered to their bases with eternal snow? What can we ever hope to do with the western coast of three thousand miles, rockbound, cheerless, uninviting, with not a harbor in it? What use have we for such a country? Mr. President, I will never vote one cent from the public treasury to place the Pacific Coast one inch nearer Boston than it is to-day!"

How poor was his judgment and how completely were his opponents vindicated, is shown by the fact that within a quarter of a century from the time of his utterance of these words an empire was being founded in that country, based upon the discovery of gold in what later became successively the Territory and the State of Colorado. The mineral wealth that men have

taken during the last fifty years from the area that fell under Senator Webster's disapproval has formed the foundation, and in frequent instances the superstructure also, of many large fortunes possessed by citizens of the United States.

Accounts of discoveries of gold in the section of the West that is now defined by the boundaries of our State, from those believed to have been made by Spanish pioneers in remote times down to those which resulted in the permanent settlement of the Colorado country by American citizens, in the year 1858, and of the mining operations of the latter prior to the organization of the Territory of Colorado, have appeared elsewhere in this volume. As there related, our pioneers had found gold in placers at various places in the vicinity of primitive Denver City before the spring of 1859, but in none that afforded much profit. The first immediately-important and lucrative discoveries of the metal in the region of Pike's Peak were those made in the mountain valley of Clear Creek by George A. Jackson and John H. Gregory, and which were developed coincidentally late in the spring. The industry of mining for the precious metals in Colorado first was placed upon a stable basis in the localities in which that pair of prospectors discovered the object of their search.

These historic events were followed at once by the opening of a large and rich mining district, comprising one of the most noted mineral areas of the State, that became remarkably productive of values in gold and silver, and still remains a profitable field. The incoming fortune-seekers of 1859 swarmed into the gulches and over the hills of the sections that subsequently, in 1861, were politically organized as the counties of Gilpin and Clear Creek. The scene of Gregory's lode-discovery lies in the former, and that of Jackson's placer-discovery in the latter. The areas embraced by the two counties is traversed by Clear Creek and its North Fork; and, with relation to mining, has become commonly known as the "Clear Creek District".

In outlining, as I shall endeavor to do, the further development of mining in that district, and the beginning and progress of similar operations in other parts of Colorado, I shall proceed in chronological order as nearly as may be practical, and in dealing with the principal and well-defined other districts shall in the main use the names by which these now are known, thereby dropping most of the old nomenclature.

The presence of silver in the Clear Creek District was revealed in 1859, soon after gold had been discovered in that section, and eventually two classes of mines were developed within its limits—those of the white metal on the far-upper waters of Clear Creek, and those of the yellow on the central and lower in the mountain valley of that stream. But it was not until after the end of the Civil War that these silver deposits began to receive any serious attention, the interest of the miners having in the meantime been concentrated on mining for gold. The Gregory Lode continued for years to be the center of that industry in Colorado, and its neighbor, the Bobtail Lode, also was a famous producer. These and other veins discovered in 1859 in what is now Gilpin County have yielded values to the amount of many millions of dollars during the fifty years that have passed since men began to relieve them of their treasure; and even yet they are important factors in the maintenance of the stability of gold-mining in that county.

The pioneer methods of separating the gold from the sand, gravel,

and the more or less disintegrated rock, in each of which it was found, were very crude. The primitive appliances for this purpose were the "pan"—a utensil of the milk-pan type, the "rocker"—somewhat like a baby-cradle, and the sluice—a trough-like construction carrying running water, and into which the gold-bearing material was shoveled, the metal being caught and held by transverse cleats fastened to its bottom. Beside being makeshifts, these contrivances were wasteful. Before the end of the summer of 1859, the Mexican *arastra*, a device for pulverizing ore in a tub-like tank containing water, was introduced; and which was followed in the autumn of that year by the stamp-mill. The *arastras* and the mills were fairly successful in the treatment of surface ores, but were not adapted to dealing with the mineral that was encountered as the mines gained depth. Although many efforts and experiments were made, no adequate process of treating the refractory ores was accomplished and applied until, in the year 1868, Nathaniel P. Hill, who had formerly been Professor of Chemistry at Brown University, Rhode Island, having mastered the problem and obtained capital for the enterprise, established at Black Hawk the "Boston & Colorado Smelter". During the intervening years quartz-mining was greatly depressed, and a number of mines were closed; for in general the only immediate results that could be derived were those yielded by certain and less obstinate grades of mineral, upon which some of the stamp-mills had continued their imperfect work. But now, ores which, prior to the erection of this smelter, had for the time been practically worthless, were to be treated with good profits to the miners. Closed mines were reopened, and accumulated refractory mineral became valuable. While the stamp-mills turned out gold bullion that was not far from being pure, the smelter produced a matte of copper, silver and gold, which had to be sent to Swansea, Wales, for separation and refinement. At a later day a refining process by which the extraction of both the gold and the silver was accomplished in the smelter was perfected, the copper matte being shipped to Boston for final refining. This process was kept a secret for over thirty years, and was not disclosed until the year of this writing (1909); although some, if not all, of its elements had been surmised from time to time by other metallurgists. The process served its purpose admirably throughout much the greater part of the period in which it was in use; and, notwithstanding that other and still more efficient methods of smelting had been introduced in late years, the Boston & Colorado Company, which removed its smelter to Argo, a suburb of Denver, in 1878, continued to operate, until about the year 1907, upon the lines required by the means that it had developed.

Although placer-mining in Gilpin County reached its zenith in 1860 and declined steadily thereafter, it has never been entirely abandoned, as there is still a small number of men engaged in such mining for gold here and there on the streams of that county. The lode-mines were worked to ever-increasing depths, and were operated separately so long as it was profitable to do so. But a large number of these properties, founded upon pioneer discoveries, were consolidated several years ago, for better and cheaper working, under the corporate name of the "Fifty Gold Mines Company". Gilpin County continues to be the scene of activity in mining for gold, and makes an important contribution to the total of the State's annual output of that metal.

The upper or western portion of the Clear Creek District, of which

part Georgetown is the center, and which is included within the boundaries of Clear Creek County, eventually proved to be very rich in silver. As mentioned above, silver was detected there in 1859, but the pioneer miners gave it no attention, as they had no means whatever of reducing the mineral containing it. Notwithstanding that the country around Georgetown is exceedingly rugged and precipitous, and therefore well adapted to exploration by tunneling, no great progress in developing its richness in silver was made until a year or so after Colorado had become a State, when the work was strongly stimulated and rendered less expensive by the extension of the Colorado Central Railway to the head of Clear Creek Cañon. From that time and until the precipitation of the financial panic of 1893 further development was made at a rapid gait, and the value of the annual production of silver in that section of the Clear Creek District was represented by high figures, that gave fame to the county for lavish opulence in the white metal.

But the great prosperity of Clear Creek County in that period was abruptly checked and reversed by the consequences of the financial storm of 1893, the effects of which there were much more severe than in the other section of the Clear Creek District; and as the market value of silver sank lower and lower, many of the mines were closed. However, and fortunately for the welfare of the county, ores of other character and grade were developed early in the years following the panic, and new mines yielding gold, lead and zinc, were opened. This change in the metallic output of the county has overshadowed its reputation as a producer of silver, which is now regarded as belonging to the division's earlier history. At the present time the county produces gold, silver, zinc, lead and copper, from complex ores requiring some form of preliminary metallurgical treatment.

Experimental smelters were erected at Georgetown shortly after the close of our Civil War, but after repeated trials and constant failure they were discarded. In a later period the miners turned their attention to various forms of milling for extracting the values carried by the ores. Amalgamation, following chloridizing-roasting was employed for a time, a number of mills for that process having been built. Concentration also was introduced for the purpose of treating low-grade ores that were unsuited either to smelting or to amalgamation. The last-named process has been continued in use to the present day, and is the means of dealing with a large tonnage of complex mineral that otherwise would go to the dump. In the early years of deep lode-mining in Clear Creek County, prior to the advent of the railroad, it had become impossible profitably to mine and handle certain exceptionally refractory ores unless they carried values of about or more than \$200 per ton. Mineral of this character but of less worth was termed "second grade," and reserved for treatment whenever a more successful process should be devised. It was fully recognized at that time that the proportion of the second-grade ore to that of higher value was so great that the permanent prosperity of the county would depend on the evolution of means for the successful utilization of the former. That this ultimately was accomplished and that a large tonnage of such low-grade ore now is treated profitably by concentration are facts of the later history of Clear Creek County.

The principal towns in the Clear Creek District, each of which was originated and has been maintained by the industry of mining for the

precious metals, are Central City, Black Hawk, Idaho Springs, Georgetown and Silver Plume. Perhaps all of these, and certainly Georgetown and Silver Plume, have seen greater prosperity than that which they enjoy to-day. Nevertheless, the production of metal values to the amount of about two and one-half millions of dollars in Gilpin and Clear Creek counties during the year 1908 proved that their mineral resources are far from being exhausted. In the event of the rehabilitation of silver as a money-medium, the old-time activity and booming prosperity of these counties quickly would be restored.

The great tide of emigration that flowed into the Pike's Peak country in 1859 and 1860 was distributed along the base of the foot-hills and in the adjacent mountain-districts between the Arkansas River on the south and the Cache a la Poudre on the north. Near the middle part of this belt lay the Clear Creek District, which has just been described. To the north of this was an equally wild mountain-section, which was explored and developed at the same time, and which has since contributed largely to Colorado's output of the precious metals. This area is at present known, as it has been from the year 1858, as the "Boulder District", and practically the whole of it lies within the confines of Boulder County, one of the original seventeen counties into which the Territory of Colorado was divided in 1861. The circumstances of its occupation by some of our pioneers, late in 1858, have been recounted in an earlier chapter of this work.

As there stated, the first discovery of gold in the Boulder District was made in January, 1859. It was natural that prospectors should begin their hunt for fortune by searching the stream-beds for placer-gold, as lode-mining was not attractive in view of their lack of means for separating the metal from the disobedient vein-rock. Indeed, it appears that among the earlier of our pioneers the number of men who were familiar with lode-deposits and methods of working them comparatively was very small.

As the particulars of the initial discoveries of gold in the Boulder District, together with accounts of the work of miners therein during the years 1859 and '60, also have appeared in another part of this volume, I shall pass on to some consideration of later mining-operations in that field. As elsewhere in the Pike's Peak country in the first two or three years after its settlement by our people, placer-mining afforded the main chance in the Boulder District; and, as in that of Clear Creek, stamp-mills were introduced there in the last half of 1859, and for a short period were fairly efficient in extracting gold from vein-matter found upon and near the surface. The measure of success attained by these mills was responsible for the introduction into that section of various other contrivances for the treatment of ore, including an assortment of nondescripts. Just why the Boulder District should have been afflicted by the presence of an uncommonly large number of men with "patent" processes for ore-reduction is not apparent, but the fact remains that throughout many years it was the scene of more building of mills that did not mill, and of more other metallurgical failures, than any other district in the State. Boulder County still is dotted over by old mill-buildings around which cluster tales of wonderful processes, each of which was to "revolutionize" the treatment of ore, but which were successful only in extracting gold from the pockets of hopeful and credulous miners. These circumstances conspired to raise doubts as to the value of Boulder County's mines, and of which some still linger. But it is a fair

inference that the shadow that seems to hang over the mines of that district is that of the once ubiquitous "process man." Yet, even in recent years, the Boulder County miner had not altogether overcome his predilection for metallurgical processes that could not gain a foothold in any other district in Colorado. One of the results of this is that some of the finest mill-buildings in the county are silent monuments to his persistent credulity.

Within a few years after the discovery of gold in the Boulder District, silver was found in the southwestern part of Boulder County by some prospectors who had gone there from the Clear Creek District. But as mining for silver had not yet become fashionable in Colorado, and as the locality was isolated and difficult of access, the discovery was permitted to sleep until 1869, when, in consequence of the interest that now was being taken in silver, these prospectors were prompted to return to the place and renew their investigations, which they did to their great satisfaction, uncovering large and rich deposits of silver ore. It was from this train of circumstances that the noted "Caribou Mine" and the sub-district of "Caribou" came into existence. As the locality at once became a place of much activity, the town of Caribou was established in it, and soon contained a population of about three hundred. In the beginning, most of the ore taken out had to be transported to Black Hawk, in Gilpin County, for reduction at the smelter of the Boston & Colorado Company. In the spring of 1873, the Caribou Mine, which had proved at the start and in the interval had continued to be the largest and most profitable silver-producer in the entire section was sold, together with a mill that had been recently built to treat its ores, for \$3,000,000, one-half in cash and the other in stock, to a company of Holland capitalists, who organized a corporation under the name of the "Mining Company Nederland", in which the title to the mine and mill was lodged. Subsequent developments made it appear that the purchase-price had been too high, and after three years of unfortunate management and internal quarrels the property passed under the Sheriff's hammer. Since that time there has been but little work done in the once famous Caribou Mine.

The discovery and development in Boulder County, in the middle '70s, of deposits of telluride ores is one of the important events in that division of the State. Because of the peculiar appearance of the tellurium-gold-silver minerals the miners had overlooked them for years. But in 1874, the locality of the present town of Sunshine, about six miles westward from Boulder City, became the center of much attention in consequence of a recent discovery there of a peculiar ore, of exceeding richness. Nothing like it ever had been seen in Colorado; and a mineral that carried values high enough to be expressed in dollars per pound instead of per ton was a most exciting proposition. The town of Sunshine was established upon this telluride basis, and within two years thereafter was an incorporated municipality of 1,200 people, and had assumed metropolitan airs. However, the deposits of this rich mineral turned out to be of narrowly-limited extent. As soon as they were exhausted the miners departed, and Sunshine presently sank to the condition of an almost deserted mining-camp. During the telluride "boom" in that district the settlement of Magnolia sprang up, with no more substantial justification than the presence at its site of an ore similar to that which existed at Sunshine. Enthusiasm ran high at Magnolia for a short time, and then subsided as rapidly as it had arisen, with discourag-

ing results to that embryo town. Boulder County's "Telluride Belt," as it is locally known, has to the present time continued to yield small quantities of the mineral; and even as late as 1905 it commanded considerable attention because of the revelation of some pockets of ore that was of an unusually high value.

One of the early mining-camps established in the Boulder District was given the name of "Ward", after Calvin W. Ward, who, in 1860, discovered in that locality the gold-bearing seam known as the "Ward Vein". The neighborhood of Ward has the reputation of having developed some of the most freakish and fickle mines of which Colorado miners have any knowledge. Claims with excellent showings at the surface, that soon "played out", were sold for the equivalent of the conventional "song", and afterward yielded large fortunes when worked to a greater depth. However, Ward has been a permanent camp from the day of its birth, and is to-day an important producer in Boulder County. Among the better-known Boulder mining-towns and camps that have had their rise and decline during the last forty years are Salina, Jamestown, Sugar Loaf, and Crisman.

One of the many metallurgical processes that were applied in the Boulder District in years past was that of the "Boyd Smelting Works," established at Boulder City in 1874. This plant drew its supply of material largely from the telluride-mines at Sunshine, so long as they afforded any, although it also handled gold, silver, copper, and lead ores from other sections. The concern was small, having a capacity of only fifteen tons in twenty-four hours, but which probably was adequate to the demands. It treated mineral carrying values as low as \$50 to the ton.

Merely a passing mention of Boulder County's coal measures is quite out of proportion to their importance, but it is all that may be attempted here. The early settlers of the county found and freely made use of outcroppings of coal, and the fuel has been mined ever since. In 1870, the county was visited and examined carefully by Professor F. V. Hayden when he was engaged in explorations for the United States Geological Survey, and its coal measures then were pronounced by him to be of great extent and value. Since that time they have been still further developed, and their output now is worth far more than all the metallic products of the county.

The industry of mining for metal in Boulder County has in recent years been more concerned with the production of tungsten ores than with that of gold and silver. While the existence of tungsten in the county was known and it had received some attention prior to 1904, it was not until that year that the mineral was mined to any noteworthy extent. As the demand for tungsten was increasing in the United States about that time, exploitation of the easily workable veins of the ore in Boulder County then was begun. The earlier shipments of tungsten concentrates were made to Germany, where they brought as high as \$600 per ton. In 1906, consignments to manufacturers of steel in the eastern parts of the United States gave returns up to \$400 per ton. With the decreased activity in the steel industry in 1907-08 there was a lighter demand for tungsten, and the price fell to \$350 and \$300 per ton. The production of the ore in Boulder County fell off as the market values declined, and was at a minimum in 1908. Nearly all the large deposits of the mineral now are owned by eastern makers of steel, and the ores are concentrated in mills erected on or adja-

cent to the properties. The outlook for the industry is good, as the increasing use of ferro-tungsten alloys is bound to cause a steady demand for tungsten concentrates.

Lying south and southwest of the Clear Creek District there is a section of country that is mountainous, excepting certain broad areas of arable and fertile land, in which gold was found in the summer of 1859, next after its discovery in the Clear Creek and Boulder districts. When this extension of the mining-field was made, those districts were crowded by the multitude of fortune-seekers that had come into the "Pike's Peak Diggings" since the middle of the spring of that year, and a great majority had been unable to locate claims that possessed any value whatever. Thousands of these now stampeded into the fresh localities.

Of the discoveries of gold in this field, of the development and richness of its placers, of the rise of "cities" upon the sites of the original camps, and of the coincident decline of activities and towns therein, the story has been told upon other pages of this history. The eastern part of the section became known as the "South Park District", in which some of the headwaters of the South Platte River have their sources: and the western, drained by westward-flowing streams, as the "Breckenridge District". Mining in both during the pioneer period mainly was confined to placer-work, the methods being the same as those followed in the Clear Creek and Boulder districts: and in later times, in the extent to which it has been carried on, it has been largely so.

These districts have not, since the culmination of placer-prosperity in them, been the scenes of many events in mining that are of historical interest. At the outbreak of our Civil War, by which time the decline of surface-mining in both had set in, a large number of the miners, who, following the example of thousands of their brethren in the other districts, had laid down their tools to take up the musket. Most of them returned to their native States, there to take sides in the great conflict: but others enlisted in Colorado's military organizations for service in behalf of the Union.

In 1863, there was a partial revival of placer-work in the Breckenridge District, where, according to a report that was generally believed, John Shook, formerly a miner in California, working in a large accumulation of gravel in the bed of Gold Run, from early in that year until 1868, washed out gold to the value of about \$500,000. He was also credited with having found in the district at that time some gold-bearing lodes. But no important discovery of ore in place was made in the district until the year 1878, when rich deposits of silver-bearing mineral were revealed. This ore was similar to that which had already been developed at the site of the present city of Leadville, and large bodies of it were opened where now stands the village of Robinson. These were worked with great profit up to the year 1890, at which time the character of the ore changed into the lean and more complex pyritous mineral, which could not then be worked with profit. The Robinson mine, alone, was said in the meantime to have produced values to the amount of \$6,000,000, mostly in silver and lead. However, mining the lean sulphide ores has been made profitable since that period by concentrating them before shipment. Summit County, which embraces the Breckenridge District, has gained the reputation of having within its borders a greater number of concentrating mills than any other section of equal size in the State. In recent years the district has enjoyed a share of the general

prosperity that has prevailed throughout Colorado; and, as there is still a large section of the county largely undeveloped, the outlook for future mining is excellent.

Some twelve years ago, men who believed that the placer deposits in the district had not been exhausted, but yet contained gold which, by the use of dredges, could be mined at a profit if the work were done on a large scale, began organizing companies to acquire suitable areas of placer land. Each of dredges, could be mined at a profit if the work were done on a large and economical scale, began organizing companies to acquire suitable areas of placer land. Each of several of these companies now hold extensive tracts of such ground. Dredges were installed and put to work after the manner of California practice for the same purpose, and have proved profitable. This system overcame the difficulties occasioned by a shortage of water, which always has been more or less a drawback to the ordinary method of placer-mining in that district. Taken altogether, the success of the Breckenridge dredges is such as to arouse interest in the possibilities that might follow the introduction of the system into other parts of the State.

The placers at and in the vicinity of the town of Breckenridge are noted for the large nuggets and other fine specimens of free gold which have been found in them. These have not been excelled in beauty of crystalline structure, and, aside from their intrinsic value, they are eagerly sought by mineralogists because of that quality. In the season of 1901-02, one of the Breckenridge dredges brought up a nugget weighing twenty-eight ounces, and having a money-value of \$500.

Next after the discoveries that resulted in the rise of the South Park and Breckenridge districts were those made in 1860 in the upper extremity of the mountain valley of the Arkansas River. The history of mining in this locality, which is a part of Lake County, and in which the city of Leadville is situated, might be subdivided into that of three distinct epochs. The duration of the first of these would cover only a few years; the second and more brilliant would be said to have begun with the year 1877 and to have ended with the panic-year of 1893; and the third would date from that time of reverses, the effects of which in Colorado long have been things of the past.

In the first, the exciting and romantic drama of California Gulch was enacted. While the number of embryo and other miners that had swarmed into the South Park and Breckenridge districts in the previous year was large, that of the host that hastened to the head of the Arkansas River, when news of what had been found there had reached the older mining-camps and also to the towns in the lowland, was still greater. But after a brief period of remarkable opulence in the new diggings, the flare of California Gulch began to wane; and before the middle of that decade it had become a dim and flickering light. In no other part of Colorado has there ever been placers so rich as were many of those at the head of the Arkansas River, in 1860 and '61. Practically all of the gold that was produced there in the first epoch was taken from placers. A few gold-bearing lodes were discovered, the more promising of which was that of the "Printer Boy"; but in the times of the "boom" no satisfactory returns came from attempts to work them, as there were no better means of doing so than those in use in the older districts. Furthermore, the geological formations in the locality were quite different from those in either the Clear Creek or the Boulder section.

However, California Gulch and its environs did not become entirely deserted, although the population of the whole district, which, in the heyday of its prosperity probably numbered some ten thousands, had, by the spring of 1866, dwindled to less than four hundred, most of whom had in the meantime continued lonesomely to hunt for gold in the scenes of the former feverish and enthusiastic activity. The rewards obtained by these were small, and the total thereof cut no important figure in the Territory's mining statistics of that time. In this manner the affairs of the district drifted along to the end of that decade and far into the next. Of the conditions in the locality in 1870 we may judge from the result of the Federal Census of that year, which enumerated in the whole of Lake County, which then was of immense area, only 522 white persons. These, or others, who took their places, kept a little life in the district until the advent of the second epoch. But some of them must have been reduced to rather hard straits in the last year of the first, for the total value of the gold produced in the district in 1876 was said to have been only \$20,000.

The district had been visited in 1865 by an expert prospector named W. H. Stevens, who was said to have been in previous years a miner for copper on the south shore of Lake Superior. After making some examination of the various minerals of the locality he departed. Returning to Colorado eight years later, Stevens again went to California Gulch, in the summer of 1873, when he found reasons for suspecting the existence of silver in the district. But during the next two years his time and attention mainly was given to preparations for mining placer gold by the hydraulic process, which required extensive construction-work.

The miners in the district had from the beginning been bothered by a heavy sand, that lodged in and obstructed their sluices; and also by boulders that were unduly heavy for their size, and which, with difficulty, they moved out of their way. But no one had thought that either carried anything of value. While engaged with his ditch and flumes, in 1873, Stevens examined the sand and boulders, and took portions of them for assay. The analysis proved them to consist of rich silver-bearing lead carbonate—the kind of ore that was destined soon to make the district world-famous. In June, 1874, Stevens and A. B. Wood, a metallurgist, who had become associated with him in the hydraulic-mining enterprise, while searching for the sources of the sand and boulders, in place, discovered in an elevation upon the southward side of California Gulch and a mile or so above the site of Leadville, a deposit of the mineral, samples of which were found by assay to contain silver in the ratio of from twenty to forty ounces to the ton of ore. Stevens and Wood now located three claims at the scene of the discovery, and which subsequently constituted the "Rock Mine".

The partners kept this discovery, as well as the results of their assays, to themselves, and did nothing further in the direction of silver-mining until the winter of 1875-76, when they put several men at work on the claims in uncovering the deposit of ore, which, in outward appearance, was a blackish rock, and gave no promise whatever to anyone unfamiliar with such silver-bearing mineral. The workmen were told that the ore was supposed to contain lead, and that it might carry enough of that metal to make its mining profitable. But the significance of the operations could not long be kept a secret from those upon the ground. Later in 1876, several "outsiders" including two of the men who had worked for the dis-

coverers in the previous winter, found similar deposits and staked out claims upon them; and Stevens and Wood located three more claims, which eventually were developed into the "Iron", "Dome", and "Bull's-eye" mines. But even these proceedings attracted no attention beyond the limits of the locality, and not much among the thin population that still lingered in it, as staking and digging by prospectors did not always foreshadow the coming of great things. The only silver produced in the district up to the close of that year was that taken from a small shipment of ore from their discovery-claims by Stevens and Wood to St. Louis for smelting, the returns from which confirmed all that their assay had promised.

It is probable that Stevens and Wood were not the only men who had known, before 1876, that silver existed in the district. It is not unlikely that Maurice Hayes, an assayer, stated a fact when he, in after-times, asserted that he had analyzed, on his own account, samples of the lead carbonates some time before Stevens and Wood had made their first assay, and had found them rich in silver. Another claimant to such precedence was a man named Durham, who, also, had probability on his side. But as neither of these followed his alleged discovery by any attempt at development, their claims, assuming them to be true, should not be held to affect the title of Stevens and Wood to the distinction of having been the founders of the great Carbonate Camp, at the head of the Arkansas River.

The first outside interest in the revelations was caused by reports of a strike made in the winter of 1876-77 by three brothers named Gallagher, who were among those who had located claims in the preceding summer and autumn. Induced by what they had heard, several hundreds of men entered the district in the spring of 1877, and were followed later in that year by several hundreds more. Some of these soon were in possession of claims that presently were developed into very productive mines; and in June the beginning was made of a town, that was incorporated and organized as the "City of Leadville" in the following January, at which time it had a population of about three hundred. However, the year 1877 was one of preparation rather than of the production of large actual results. But in 1878 the district's extraordinary richness in silver was abundantly demonstrated, and all sorts and conditions of men, eager for gainful opportunities, streamed into it by thousands, some of whom swarmed in the streets of the new city while others scattered over the hills and into the gulches around it.

The fame of the locality rapidly spread far abroad, and before 1880 the district had become the foremost of Colorado's mining-centers. The brilliance of the early part of this epoch in its history was emphasized by the swiftness with which great fortunes were accumulated and by the meteoric careers of some of the men who acquired them, who were elevated from penury and obscurity to affluence and prominence within a few months.

Among the more productive of the mines of early development were the "Little Pittsburgh" and the "Robert E. Lee", the latter excelling all others. In the first three months of systematic mining it yielded \$495,000; and in one day, in a special effort to establish a "record", ninety-five

tons of ore, valued at \$118,500, were produced. Only by the once noted Comstock mine, in Nevada, has this output ever been exceeded.

Coincident with the development with the district's mines of silver-bearing lead carbonates, and as a direct result of the production of these in such large quantity and richness, the smelting industry in Colorado was placed upon a firm and enduring basis. From 1877 to about 1903, in which the industry attained its greatest magnitude in our State, its methods of treating ore grew in favor and were employed in nearly every mineral-bearing section of Colorado. By reason of the ready accessibility of lead-silver ores, Leadville took the lead in smelting early in that period.

In 1880, the Leadville District was shocked financially by the collapse of the Little Pittsburgh Company. This was the first conspicuous instance of failure due to over-capitalization and a desire for heavy dividends without having adequate underground development to ascertain the continuity of the ore bodies. This financial disaster, together with some others, due to like causes, and that soon followed, resulted in a loss of confidence in the stability of the mining industry at Leadville, and checked the spirit of enterprise that had done so much to forward the interests of the district, which suffered from these effects for several years. With the steady decline in the value of silver from early in the '80s there was a corresponding depression at Leadville, as well as in the other camps dependent mainly on the white metal, and which reached its extremity in the year 1893, terminating the second epoch in the district's history.

It was supposed by some that, with the unprecedentedly low price of silver and the previous depletion of the bodies of lead carbonates, Leadville now would fall into decay and perhaps become an abandoned mining-camp. But the situation was faced bravely by the community, and the conditions in the district were readjusted. Unusually large deposits of complex sulphide ores were uncovered, and of which a heavy tonnage since has been mined regularly. Ownership of some of the early producers has passed to stronger corporate organizations, and such consolidations have been followed by extensive and profitable exploration of new territory, by sinking and tunneling. However, it is with the operation and further development of mines yielding the sulphide mineral that Leadville principally is concerned at the present time, and from which the greater part of the district's output, which now exceeds \$5,000,000 annually, is derived.

The production of zinc has become an important feature of mining at Leadville during the current period. The complex sulphide ores carrying that metal, as well as gold, silver, and lead, are treated successfully by various methods of concentration. These ores are of such a nature that none of their metallic contents would alone be of value sufficient to defray the cost of mining and milling, but the aggregate value of the four makes the processes profitable.

It is the opinion of mining men that the Leadville District still has great future possibilities, and therefore that it will continue productive for many years. The immediate vicinity of the city has absorbed attention heretofore, to the neglect of some of the outlying parts. Should the latter prove to contain ore commensurate in value with the present indications, the district will have a long period of activity in mining.

Up to the time of the discoveries of lead carbonates at the head of

the Arkansas River, prospectors generally had given little or no attention to any minerals that did not show silver or gold more or less plainly. But the revelations from the outwardly unpromising material that gave rise to Leadville suggested to some of the wiser heads among them that valuable ores in forms heretofore unfamiliar might be discovered by studying geological conditions and giving attention to a greater variety of minerals. The lessons learned in the mines at Leadville were supplemented by the publication, in 1879, of Hayden's report of his geological surveys in Colorado, which had been made in a most thorough and scientific manner, and in illustration of the results the report was accompanied by accurate geological maps that indicated probable locations of mineral bodies of various kinds. It was largely through the instrumentality of Hayden's report and his maps, in combination with the new ideas which Leadville had put into the minds of prospectors, that the Aspen country was explored and its rich mineral deposits discovered, this having been a direct result of systematic work instead of haphazard prospecting such as formerly had been the general rule.

In 1879, having noted the similarity of the mineral formations at Leadville to some which, according to Hayden's report and as indicated upon his maps, had been seen near the head of the Roaring Fork of the Grand River, an exploring party organized by Charles Bennett and Walter S. Clark made a prospecting trip into that section. About the same time, another group of mine-hunters, in which were Smith Steele and P. W. Pratt, entered the same district on a like mission. Doubtless many other prospectors, working along the old lines, had been there; yet, so far as there is any record, none had found anything that was worth the trouble. But the results of these expeditions were represented by the location, upon Aspen, West Aspen and Smuggler mountains, of a number of claims, some of which subsequently were developed into mines of great value.

These discoveries were made in June and July (1879), and wide publicity was given them shortly afterward. The circumstances that had followed the developments at Leadville now were repeated. Prospectors, miners, investors, merchants, speculators, and all the various others to whom the conditions in a new mining-field were irresistibly attractive, poured into the district literally as a stream. Sites for two towns—"Ute City" and "Roaring Fork City"—were platted immediately, but both projects failed to be accepted by the people. The town of Aspen, founded in the next year, became the metropolis of the district. Notwithstanding that the scene of the activities that ensued was accessible during the next eight years only by rough wagon-trails, that in many places were perilous to both man and beast, the district flourished apace in the meantime; and after the completion of a branch of the Denver & Rio Grande Railway from Glenwood Springs to Aspen, in November, 1887, its prosperity was accelerated to a high pitch, despite the declining value of silver, so rich were its mines.

The history of the Aspen District is similar to that of every other silver-producing section in Colorado—a period of affluence prior to 1893 and depression after that year. From 1886 to 1893, Aspen grew from a town of 3,000 people into a beautiful mountain-city containing a population of 11,000. Thousands of miners were employed at high wages, many of the mines were paying large dividends, the town was provided with all

modern municipal improvements, and the city bade fair to continue to grow and flourish. As at Leadville, great fortunes came to some men suddenly. A striking instance of this is afforded in the case of a claim upon which the owner had not done the assessment-work required by law. The original title thus having been forfeited, the claim was relocated by others, to whom it yielded \$600,000 in two months.

By far the most productive property in the Aspen district was the famous "Mollie Gibson Mine", which won the distinction of being the richest silver-mine known in modern times, surpassing the records of all others in the high value of its ore and in the regularity and amount of its dividends. The average silver-contents of its ore during the greater part of its period of prosperity was about 600 ounces per ton, some car-loads of the mineral yielding net returns ranging from \$60,000 to \$115,000.

It has been estimated that the value of metals produced in the Aspen-District prior to the collapse of the silver market in 1893 was about \$44,000,000, nearly the whole of the output having consisted of lead and silver, as but little gold ever was found in that field. It is altogether likely that with a more favorable market for silver the mines of Aspen again would become large producers. It is probable that in no other district in the State have mines been developed more scientifically than were these, in which work many great tunnels were driven. In late years and up to the present time the attention of prospectors in the districts has been devoted to search for gold-bearing ore, and which recently met with a measure of success, although the mineral may prove generally to be of low grade. However, as some of the ore has been found amenable to concentration, there is a fair prospect that the district may become an important producer of gold, as it has ready means of transportation and excellent facilities for supplying power.

The mountainous area in the southwestern part of Colorado long has been known as "the San Juan Country", but usually is referred to simply as "the San Juan". The term, which we have taken over from our Mexican neighbors in New Mexico, is not applied to any well-defined district, but is found convenient as an off-hand designation of that portion of the State. The appellation was derived from the name of the San Juan River—so called from early Spanish times—headwaters of which together with several of its tributaries drain the southern slope of that section of Colorado.

A small company of American prospectors ventured into the San Juan country in 1860, and perhaps with some knowledge of the old reports of discoveries of gold said to have been made there by a Spanish party from Santa Fé about one hundred years before. But our prospectors of that year accomplished nothing of importance. After having endured the hardships imposed by the severe winter of 1860-61, and being menaced by Ute Indians, who were hostile to such an invasion of their range, the party withdrew without having gained anything of much value excepting experience. Although other explorations in that direction by Colorado prospectors at various times later in the '60s, the country remained practically unoccupied by our miners until the year 1870, when deposits of ores bearing the precious metals were discovered. It is of interest to note that many of the mines in the vicinity of Silverton which have since proved valuable

were located at this time. The results of these and of subsequent discoveries have contributed millions to the total value of gold, silver, and lead produced in Colorado.

As has been the case in all imperfectly developed mining-districts, only ore of comparatively high grade was handled in the early days of the San Juan. Mineral containing values less than \$100 per ton seldomly could be dealt with at a profit, and therefore the output of the entire district was not great until after the advent of the railroad into it, and which made practicable the shipment of ore of lower grade to smelters, elsewhere in the State. However, in common with all the other silver-producing districts the San Juan country severely felt the effects of the depreciation in the value of silver, and after 1893 many of its mines were forced to close.

Although the pioneer discoveries of precious metals in the district had been those of gold, silver was developed in vastly greater abundance after the beginning of active operations in mining; and in that period general attention had been given only to silver-bearing minerals, in indifference to the probabilities of uncovering ores carrying the more valuable metal in profitable quantities. Such neglect continued until Thomas F. Walsh found, near Ouray, the deposits of gold-bearing mineral which, with some adjacent claims that, acquired later, he developed into the opulent "Camp Bird Mine", a property that has yielded fortunes to its owners. In consequence of these and other revelations in the neighborhood of Ouray, that town now is rather more prominently associated with the production of gold than with that of silver.

The Telluride section of the San Juan country is contiguous to that in which Silverton and Ouray are situated. The first successful search for gold and silver in the former locality occurred in 1875, when locations were made upon a vein destined to become famous in later years as the basis of the valuable properties now owned by the "Smuggler-Union Mining Company". However, mining operations at and in the vicinity of Telluride were retarded for several years by the lack of easy means of transportation, the methods therefor in the meantime being those of the wagon and of the pack-animal. But after a branch of the Denver & Rio Grande Railway System was extended to the town, in 1890, development was rapid and the mineral output steadily increased in that year and the next, after which the tide turned the other way. The value of the annual production of metals in San Miguel County, of which Telluride is the county seat, is said now to be above \$3,000,000.

The town of Rico, the county seat of Dolores County, is the center of another mineralized area of the San Juan. The rise of the town was due to the discovery, about the year 1879, of rich oxidized silver-ore, on Nigger Baby Hill, an adjacent elevation. The output of the Rico mines largely was of silver; but in late years the section has not been so prosperous as in previous times. Two causes were combined in producing this result: one of which was the comparatively small extent of the smeltable ore-bodies, and the other the great shrinkage in the market value of the white metal. By the year 1900, the production of ore had become reduced to an occasional car-load shipped by leasers working in parts of the older and larger mines. A consolidation of practically all the mines in the locality that still were of any promise was effected in 1902, under the ownership of a corporation styled the "United Rico Mines Company". Since that time,

this company has expended a large sum of money in endeavors to find a satisfactory process for treating complex and extremely refractory ores contained in the mines. Should the company succeed in devising the methods required for a profitable handling of this ore, mining again will become active at Rico.

On the northeastern border of the San Juan country stands the town of Creede, the neighborhood of which was the scene of mining operations that were of commanding importance during the brief period from early in 1890 to 1893, and also, until the bottom of the silver-market fell out, the most spectacular known in the State since the early days of Leadville. But little or nothing had been known of the locality prior to 1890. In 1891, mining operations in it were at their height, a railroad had been constructed into the camp, and heavy shipments of high-grade ore were contributing lavishly to the wealth of the State. But the other side of the picture shows that in 1893 the exodus of discouraged miners was almost as great in number as that of the influx two years before.

Mining conditions at Creede were unique in some respects. Mineral discoveries paid well nearly from the grass-roots, and beside this favorable feature the ore bodies were so regular and well defined that practically all of the material broken down in the mines was pay ore. Mining at Creede at the present time is such as may be made profitable at the current value of silver, lead, and zinc.

That part of the San Juan embraced by the boundaries of La Plata County, of which Durango is the principal town and also the county seat, has contributed largely to the welfare of the mining industry. It was in this county that telluride minerals first were discovered in Colorado, although their nature was not certainly known until several years thereafter. Since the general development of the San Juan and the rise of demand for reduction works, Durango has been a smelting center, and at present one of our large smelting plants is in operation there.

The San Juan country presents some very interesting and unusual natural features. Its topography is, upon the whole, exceedingly rugged and precipitous; and in long-past geological ages its area has been the scene of many landslides of enormous proportions. In our winter seasons immense slides of snow occur, and often occasion serious losses of life and property. Because of the extremely rough character of the country, mining operations are to a great extent carried on by tunneling, and much of the local transportation to and from the mines is by aerial wire-rope tramways. Water-power is abundant, and is utilized for supplying electricity to many of the mines and mills for the purposes of power and lighting. The country invites mining upon a large scale, but requires the investment of considerable capital in order to produce the best results. Some of the State's most noted mines are located in the San Juan. Excepting certain localities in which the deposits of metallic minerals were confined to narrow limits, there is no reason for believing that that section of Colorado will not be profitably mined for many years to come.

Almost coincident in time with the mineral revelations made at Creede rumors of discoveries of gold in a locality near the westward base of Pike's Peak reached the mining-districts and the cities and towns in the lowlands along the foot-hills. The reader may recall that the multitudes of fortune-seekers that came to our mountains in 1859 and '60 previously had

understood that the gold-diggings to which they were bound were "at Pike's Peak", and that "Pike's Peak or Bust" tersely expressed the sentiment that prevailed among the great throngs. That one of the exceptionally rich gold-camps that the world has known subsequently should be located within the scope of the morning shadow of that great landmark seems much like a designed fulfillment of the expectations of our early pioneers. During the original "Pike's Peak Excitement" no gold was found in the immediate vicinity of that majestic mountain, the diggings nearest thereto having been those in the South Park. But the next generation witnessed the development of the greatest gold-district in America, and which lies only a few miles beyond the historic goal of the thousands and thousands who flocked across the plains a half-century ago.

The earliest known discovery of gold-bearing mineral in that locality, through which flows a small stream that in a previous time had been named "Cripple Creek", was made by T. H. Lowe, formerly a member of Hayden's surveying corps, who, in 1874, found there some rich float. Prospecting parties organized by him examined the gulches and the outcroppings and also made a few shaft-openings, some of which still may be seen on properties that are rich and well developed mines. While a little gold-bearing mineral was found in place by Lowe and his associates, their prospecting produced no practical results, and the effective discoveries were left to be made by more fortunate men.

Ten years passed before the locality again was brought into public notice. In the spring of 1884, came the cheering report that an obscure prospector, known by the sobriquet of "Chicken Bill", had made a great strike back of Pike's Peak. The usual result followed at once. A crowd of excited and hopeful men hurried into the scene of the new discovery, which was christened the "Mount Pisgah Mining District". But after a few weeks had passed without any of the newcomers finding even a trace of gold, Chicken Bill was charged with having "salted" his diggings with intention to sell his claim to some unsuspecting tenderfoot—an accusation which appears to have been true. As the "discoverer" now made himself scarce, a mob of angry victims of his hoax, with ropes and guns in hand, began hunting for him. But Bill eluded them and fled the country. The failure of this body of prospectors, in which there were many experienced men, to detect the presence of gold in the district doubtless was due to the peculiar character of its mineral, that later was found to be radically unlike any other gold-bearing ore known in Colorado.

The "Mount Pisgah District" was neglected by prospectors during the next six years; and it so happened that its treasure was revealed in the seventh by a man who was not of their calling. In the summer of 1891, "Bob" Womack, a ranchman, who was keeping a small herd of cattle in the locality, but was not familiar with the art and mystery of prospecting, found an outcropping that he suspected to contain gold. Samples of the mineral which he took to an assayer proved to be rich gold-bearing ore. So it came about that Cripple Creek was discovered by a ranchman, after both the trained geologist and numerous experienced prospectors had failed. But Womack never profited largely by the subsequent developments. He came into possession of several good claims, sold them at fair prices, permitted the proceeds to slip from his hands, and died poor, at Colorado

Springs, in August, 1909. His discovery-prospect, having passed to other ownership, became the "Gold King Mine," in Poverty Gulch.

No important productive development was made in the district until 1892, in which year nearly \$600,000 in gold values were mined. Thereafter the figures representing the worth of the annual output mounted higher and higher year by year; and a total of \$2,000,000 for one month has been achieved. During the first two years of activity the mines generally were developed with means derived from their product, but after that time outside capital was invested freely.

The reader may imagine the enthusiasm aroused in Colorado by the revelations at Cripple Creek, and the encouragement they gave the people of the State in the time of their most severe trials. The new field afforded employment for thousands of miners from the silver-districts, that were brought to the verge of despair by the events of 1893. Within three years the city of Cripple Creek, founded upon the ground where Womack pastured his cattle, became a community of ten thousand men, women and children, with railroad connections, daily newspapers, telegraph and telephone lines, water supply, electric lights and all the rest. Between 1894 and 1900 several outlying towns sprang up in an area of three by five miles in extent, and of which Victor, Goldfield, Gillette, Anaconda, and Independence are the more important.

Cripple Creek has experienced a few temporary setbacks from disagreements between miners and mine-owners and consequent strikes by the former. The most deplorable and disastrous of these occurred in 1903, when many dastardly acts were committed. Martial law was declared and put into effect, and the State militia occupied the district. These depressing and costly conditions continued for several months, and not only checked production, but left bitterness behind. However, a quick recovery followed, and Cripple Creek has continued to hold its position as the greatest mining-camp in our country.

As I have mentioned above, the ores of the district are unlike those of any other in Colorado. In many instances they consist simply of the country rock impregnated with metal, while in other districts the ores exist in well defined veins, cutting the country rock. The main product is gold, although some silver occurs with it. The former usually is combined with tellurium, but in some cases it is in the form of "free" gold. The metallurgy of the ores has undergone some change since they were first discovered. For some years from the beginning, smelting was employed almost exclusively, the mineral being shipped to Pueblo and to Denver for reduction, and yielding values ranging from \$80 to \$100 per ton. The smelting process continues to be used for the reduction of these ores, but not to such an extent as formerly. When the average value of shipping-ore declined to about twenty or twenty-five dollars per ton, it became necessary to seek new means of treatment, that would lessen the cost thereof and eliminate transportation charges. Various chemical processes were suggested and tried, but chlorination and cyanidation have been the most successful. At the present time by far the larger portion of Cripple Creek's ore-tonnage is treated by cyanidation, and mineral yielding as low as \$6 per ton is handled profitably.

There has been considerable speculation as to the probable duration of productivity in the Cripple Creek mines. Some believe that they will be

among the State's important gold-producers fifty years hence. The great drainage tunnel now under construction undoubtedly will make it possible to extend existing workings some hundreds of feet below the present limits. As it is believed that ore of good grade is in the deeper parts, the work of sinking lower will begin immediately after the completion of the tunnel.

Any earnest attempt to deal with the subject of mining in Colorado should take into consideration the State's mineral resources other than those of gold, silver, copper, zinc, and lead, the first two of which heretofore have overshadowed all others in the popular conception of the elements of prosperity that Nature has stored underground in Colorado. There are large deposits of iron ore, some of which have been opened and are mined; but the time has not yet come for their full development. Other subterranean resources consist of rare metals and of non-metallic minerals. The exploitation of the former of these is a matter with which only the present generation has been concerned, and therefore it has but little history. Indeed, it may be said that no more than a beginning of the production of these has been made. The more important of the non-metallic minerals consist of coal, a large variety of building-stone, cement-rock, and fire-clay—all existing in great abundance. Most of us are not in the habit of associating the names of Trinidad and Louisville with large production of mineral values; yet, in the year 1908, the market-worth of coal mined at and near these towns, together with that taken out elsewhere in the State, exceeded the value of all the gold, silver, lead, and zinc produced in Colorado in that year.

Mining for rare metals in the State has had its vicissitudes during the few years in which it has been in progress. The period began in 1899, when a peculiar yellow mineral was discovered in the southwestern part of the State by Messrs. Poulot and Voilleque, of Denver, who were there investigating the nature of a yellow pigment that long had been known to the Ute and Navajo Indians, and had been noticed by some of our pioneers of the San Juan. About the same time, there was a like examination of the substance by the United States Geological Survey. The yellow mineral proved to be a urano-vanadate of potassium, and was named carnotite, in deference to M. Adolphe Carnot.

During that year and the next, many experiments were made to determine the best methods of extracting the metals uranium and vanadium, and in the course of these a number of shipments of mineral containing them were made to New York and abroad. The metallurgical experiments with the material have not yet been entirely satisfactory, and therefore, although some mills have been constructed to operate along the lines of various processes, the measure of practical success can not at the present moment be stated definitely.

In the year 1905, the Colorado State Bureau of Mines requested the cooperation of the State School of Mines in a careful study of the uranium and vanadium belt in the San Juan from a scientific and commercial standpoint. The results of that investigation are embodied in the report of the Bureau of Mines for the biennial term of the years 1895-96. Four well defined sections were examined by representatives of the School of Mines, and which were designated as McIntyre Cañon (or Snyderville), Rock Creek, Hydraulic, and Vixen districts. In the summer of 1909, further examinations of these districts were made. The carnotite deposits in south-

western Colorado are very extensive, and doubtless will prove to be of corresponding value.

A much earlier discovery of a uranium-bearing mineral was made in the Clear Creek District, in the Wood Lode, near Central City. This mine has produced pitchblende containing a high percentage of uranium, and having strong radioactive properties.

The coal deposits in Colorado are very extensive, their limits not having yet been determined. In the eastern part of the State they are known to underlie the lowland bordering the foot-hills from north to south; and in the western they are widely distributed. Routt County, in the north-western part, an empire in which general development of resources has just begun, holds immense measures of both bituminous and anthracite.

Of granite, marble, and other building-stone in Colorado no one attempts to estimate the quantity. At Silver Plume, at the head of Clear Creek, and at Salida, on the upper Arkansas, two fine varieties of granite are quarried. At Marble, in Gunnison County, there has been opened what is believed to be the largest deposit of white marble in one mass in the world. While the stone was of high quality at the surface, it has become still better at greater depth. Its excellence may be judged from the circumstance of its shipment in large quantities at the present time for use in a public building in an Ohio city on the southward shore of Lake Erie.

Cement is now produced in great bulk at three places in Colorado—at Portland, Concrete, and Newcastle, at each of which there is a vast supply of raw material. Hydraulic lime and plaster of paris also are made from non-metallic mineral deposits in the State.

Fire-clay has been found in several localities in the State, and beds of it now are worked in two places—at Golden, in Jefferson County, and at Capers, about twenty-five miles south of Pueblo, where the largest production is made. At each the clay lies near the surface, and therefore is easily accessible. A body of fire-clay forty feet thick was encountered in drilling an oil well at Florence, but it was at too great a depth to be utilized in competition with the deposits at Golden and Capers.

The manufacture of fire-brick and of refractory utensils from the Golden and Capers fire-clays has become an important industry in Colorado. Small furnaces for assayers' use and other metallurgical purposes, crucibles and kindred appliances, made in the State, have almost entirely displaced in the United States the old imported Battersea goods for such service; and also have obtained a firm hold in the markets of several foreign countries.

As they have in the past, Colorado's mineral resources must in the future constitute a vital element in the combination of causes that shall continue to maintain the State in its career of progress; and it is more than probable that their development within the next fifty years will exceed all that has been done during the last fifty—great as these may to us appear to have been.

The market values of the gold and silver produced in Colorado since the year 1858 are given in the following table, as compiled by the State Bureau of Mines, the totals before 1870 being estimates that have been accepted as fair approximations, while those for the years since 1870 are very close to precise accordance with facts:

| Year | GOLD | | SILVER | |
|-----------------------|-------------|------------------|-------------|------------------|
| | Fine Ounces | Value | Fine Ounces | Value |
| Year | Fine Ounces | Value | Fine Ounces | Value |
| Previous to 1870..... | 1,316,550 | \$ 27,213,081.00 | 250,000 | \$ 330,000.00 |
| 1870..... | 145,864 | 3,015,000.00 | 500,000 | 660,000.00 |
| 1871..... | 175,808 | 3,633,951.00 | 779,590 | 1,029,058.00 |
| 1872..... | 128,034 | 2,646,463.00 | 1,524,207 | 2,015,001.00 |
| 1873..... | 88,788 | 1,835,248.00 | 1,683,370 | 2,185,014.00 |
| 1874..... | 99,932 | 2,065,595.00 | 2,415,435 | 3,086,926.00 |
| 1875..... | 112,291 | 2,321,055.00 | 2,306,253 | 2,873,591.00 |
| 1876..... | 131,897 | 2,726,311.00 | 2,552,125 | 2,950,256.00 |
| 1877..... | 145,138 | 3,000,000.00 | 3,480,548 | 4,180,138.00 |
| 1878..... | 162,864 | 3,366,404.00 | 4,172,744 | 4,807,001.00 |
| 1879..... | 156,023 | 3,225,000.00 | 9,049,424 | 10,162,503.00 |
| 1880..... | 154,814 | 3,200,000.00 | 13,148,735 | 15,055,302.00 |
| 1881..... | 159,652 | 3,300,000.00 | 13,272,488 | 15,104,092.00 |
| 1882..... | 162,554 | 3,360,000.00 | 12,707,866 | 14,436,136.00 |
| 1883..... | 198,355 | 4,100,000.00 | 13,434,915 | 14,912,756.00 |
| 1884..... | 205,612 | 4,250,000.00 | 12,375,280 | 13,984,066.00 |
| 1885..... | 203,193 | 4,200,000.00 | 12,220,589 | 13,014,927.00 |
| 1886..... | 215,288 | 4,450,000.00 | 12,375,280 | 12,313,404.00 |
| 1887..... | 193,517 | 4,000,000.00 | 11,600,826 | 11,345,608.00 |
| 1888..... | 181,809 | 3,758,000.00 | 14,695,645 | 13,813,906.00 |
| 1889..... | 187,898 | 3,883,859.00 | 18,375,519 | 17,199,486.00 |
| 1890..... | 200,774 | 4,150,000.00 | 18,800,425 | 19,665,245.00 |
| 1891..... | 222,545 | 4,600,000.00 | 21,160,480 | 20,906,554.00 |
| 1892..... | 256,410 | 5,300,000.00 | 26,350,000 | 23,082,600.00 |
| 1893..... | 364,151 | 7,527,000.00 | 25,838,600 | 20,205,785.00 |
| 1894..... | 462,009 | 9,549,731.00 | 23,236,025 | 14,638,696.00 |
| 1895..... | 656,021 | 13,559,954.00 | 17,891,626 | 11,683,232.00 |
| 1896..... | 738,618 | 15,267,234.00 | 21,547,743 | 14,458,536.00 |
| 1897..... | 947,249 | 19,579,637.00 | 21,278,202 | 12,692,448.00 |
| 1898..... | 1,138,584 | 23,534,531.28 | 23,502,601 | 13,690,265.15 |
| 1899..... | 1,282,471 | 26,508,675.57 | 23,114,688 | 13,771,731.10 |
| 1900..... | 1,391,487 | 28,762,036.29 | 20,336,712 | 12,488,774.84 |
| 1901..... | 1,339,112 | 27,679,445.04 | 18,492,563 | 10,901,365.89 |
| 1902..... | 1,379,638 | 28,517,117.46 | 15,941,703 | 8,315,192.29 |
| 1903..... | 1,045,252 | 21,605,358.84 | 13,245,483 | 7,079,710.66 |
| 1904..... | 1,171,892 | 24,223,007.64 | 12,960,777 | 7,416,156.60 |
| 1905..... | 1,237,443 | 25,577,946.81 | 12,831,348 | 7,743,718.51 |
| 1906..... | 1,092,827 | 22,588,734.09 | 12,725,882 | 8,499,734.83 |
| 1907..... | 990,398 | 20,471,526.66 | 12,059,202 | 7,886,736.17 |
| 1908..... | 1,097,995 | 22,695,575.75 | 9,416,025 | 4,975,428.05 |
| Total..... | 21,540,757 | \$445,247,478.43 | 513,650,864 | \$415,561,090.14 |

CHAPTER XXV.

AGRICULTURE IN COLORADO.—CULTIVATION OF THE SOIL BY ABORIGINES.—UNPROMISING NATURAL ASPECT OF OUR PORTION OF THE "GREAT AMERICAN DESERT."—GARDEN-PATCHES AT THE TRADING POSTS.—THE BEGINNING OF PIKE'S PEAK AGRICULTURE BY OUR AMERICAN PIONEERS.—ITS SLOW PROGRESS DURING THE CIVIL WAR.—CONDITIONS AT THE CLOSE OF THAT DECADE.—EFFECT OF THE ADVENT OF RAILROADS.—COLORADO'S ACREAGE.—CHARACTER OF OUR SOILS.—DRAINAGE SYSTEMS AND RANGE OF ELEVATIONS IN THE STATE.—RESULTS OF FARMING UNDER IRRIGATION IN THE ARKANSAS VALLEY.—SOIL-CULTURE IN THE NORTHERN PART OF THE STATE.—"THE HEART OF AGRICULTURAL COLORADO."—AN EXAMPLE OF PROFITABLE FARMING IN THE POUDE VALLEY.—SUGAR-BEET INDUSTRY IN THE STATE.—IMPORTANCE OF THE POTATO CROP.—SURPRISING YIELDS OF THIS VEGETABLE.—CONDITIONS IN THE LOWER SECTION OF THE SOUTH PLATTE VALLEY.—FARMING IN THE DRAINAGE BASIN OF THE GRAND RIVER.—GREAT PRODUCTIVITY OF THE SOIL.—THE SAN LUIS VALLEY AND ITS CROPS.—CULTIVATION OF THE HIGHER LANDS OF THE WESTERN SLOPE.—AGRICULTURE IN THE SOUTHWESTERN AND NORTHWESTERN SECTIONS OF THE STATE.—THE "RAINBELT" IN EASTERN COLORADO.—FORMER FAILURES TO PRODUCE CROPS THEREIN WITHOUT IRRIGATION.—"DRY FARMING."—RECENT CHANGES IN METHODS AND PROSPECTS.—THE "THOROUGH TILLAGE SYSTEM."—FEDERAL DEMONSTRATION FARMS IN THE RAINBELT.—REMARKABLE DEVELOPMENT OF HORTICULTURE IN THE STATE.—THE COLORADO FARMER'S SUCCESSES AT GREAT EXPOSITIONS.—THE COMMUNITY OF INTERESTS THAT CO-OPERATE FOR THE GENERAL WELFARE OF OUR COMMONWEALTH.

BY WALTER H. OLIN, M. S.

Our vanished predecessors, the "Cliff Dwellers," doubtless were the first agriculturists upon Colorado soil. Of the kind of crops they cultivated we know but little. Relics of a small and flinty variety of Indian corn, in the form of cobs and charred grains, frequently have been found in the ruins of their abandoned homes; and this cereal appears to have constituted the major part of their vegetable-food.

The modern Indians of the Colorado region, unlike many of their race who occupied the eastern half of the United States, depended entirely on the buffalo and other wild animals of the country for their provender. When their "luck" was good they had a time of feasting, and when bad a season of leanness. There seems to be no evidence that they ever attempted to produce any portion of their food-supply by planting and cultivating.

To Major Stephen H. Long and his associates, who came to our mountains in the year 1820, the section of Colorado which they traversed seemed to be the more hopeless part of the vast expanse of land which then was commonly termed the "Great American Desert," which, in their opinion, never could serve a better purpose than that of a ruthless barrier to a far-westward extension of the population of the United States.

A long stretch of years lies between the period in which the agriculturists of the cliff-houses ceased their labors and departed and that in which their white-skinned successors in such work first made their appear-

ance upon Colorado soil. The earliest of the latter were men identified with the fur-trade in the Rocky Mountain region, and who planted small patches of ground to vegetables at trading-posts on the Arkansas River, and at Fort Lupton and probably at Fort St. Vrain, on the South Platte, around the year 1840. During the next fifteen years there was a considerable further development of agriculture under irrigation along the Arkansas and in the valley of the Rio Grande, and which mostly was the work of Mexican settlers, some of whom were located at trading-posts, while others occupied fresh ground. Francis Parkman, the noted historian, who was at the "Pueblo," upon the site of our city of that name, late in the summer of 1846, commented on the "great fields of corn" that spread over the Arkansas bottom-land adjacent to that post. However, these conditions did not attain permanency; and at the time in which the "Pike's Peak Excitement" broke out, about the only farming upon the Colorado area was that of a few small colonies of Mexican pioneers in the part of the Rio Grande Valley that lies within our State.

Our pioneers of 1858 arrived too late to attempt in that year to "make a crop" of anything produced by husbandry, even had they been inclined so to do. But it is doubtful whether any man among them gave a serious thought at that time to the agricultural possibilities of the new country into which they had come. But it was not so with all the members of the multitude that flocked to Pike's Peak in 1859. Some of these, perhaps having in mind the old saying that "digging gold is about the hardest of all ways to obtain it," turned their attention to the soil along the foot-hill streams at places where settlements had been made upon such water-courses. But the agriculture of that year was almost wholly confined to the cultivation of vegetables, and the larger part of it was on the Arkansas River, around the mouth of Fountain River, where some Indian corn figured among the products; and also where a few of these pioneer farmers matured their crops without irrigation. There was a little planting and harvesting on the head of the Fountain; and more on Clear Creek, below Golden, where David K. Wall had a truck-garden that yielded a profit much greater than that of the average placer-claim. A few residents of Boulder City made agricultural experiments at their town in the same year.

However, an overwhelming majority of our Fifty-niners gave no heed to the vocation of the planter. They had not come with plows and hoes, but with picks and shovels for use in digging up the "free gold," an abundance of which they expected soon to carry away. They did not anticipate that some of them would live to see the industries of agriculture and stock-raising so developed that these would constitute by far the greatest productive occupation in the land to which they had hurried. Most of them assumed that the full resources of the soil were represented by the thin and mainly harsh verdure they saw growing upon it.

In the years 1860 and '61 there was relatively a large increase in the acreage put under cultivation by Colorado's pioneer farmers; but during the period of the Civil War further development was at a slow pace. The population had lessened, and perils threatened by hostile Indians tightened the brake on progress. Yet even at the close of our great civil conflict there were many people who believed that farming in Colorado never would afford remunerative employment for more than a very small portion of the Territory's inhabitants, and only to such as were in exceptionally

favorable localities. It is true that the unirrigated land presented a discouraging appearance to those unfamiliar with the effects of turning water upon it. Concerning its aspects and other natural conditions, Samuel Bowles, in his book entitled *Across the Continent*, the material for which he gathered in 1865, records his impressions as follows:

“The burden laid upon all agriculture, the absolute want of all horticulture, as yet in all this country, are among its serious drawbacks. The winds, the sun, the porous yet unfriable soil, the long seasons of no or inadequate rain, leave all vegetation gray and scanty, except it is in direct communication with the water-courses. Trees will not live in the house yards, house owners can have no turf, no flowers, no fruits, no vegetables—the space around the dwellings in the towns is a bare sand relieved only by infrequent mosses and weeds. The grass is gray upon the plains; cotton-wood and sappy pine are almost alone the trees of the mountain region; no hardwood is to be found anywhere; and but for the occasional oases by the streams, and the rich flowers that will spring up on the high mountain morasses, the country would seem to the traveler nearly barren of vegetable life.”

Between the summer of 1865 and that of 1870 the number of Colorado's people increased from about 25,000 to 40,000. This expansion of population, together with the improved general conditions, gave a healthy stimulation both to concern in and extension of agriculture in the Territory. The following estimate of the quantity and value of Colorado's farm products in the middle year of that period (1868), formed by Dr. W. R. Thomas, then an editorial writer in Denver, indicates the progress that was being made, and also may be of interest to the reader by way of comparison with present-time results:

| Crop. | Yield, bu. | Price, bu. | Value. |
|-----------------------------|------------|------------|----------------|
| Wheat | 504,904 | \$1.80 | \$1,098,667.20 |
| Oats and barley | 462,103 | 1.20 | 554,529.60 |
| Corn | 455,430 | 1.10 | 500,973.00 |
| Potatoes | 492,894 | .75 | 369,670.50 |
| Hay and dairy products..... | | | 250,000.00 |
| Total value..... | | | \$2,683,840.30 |

Up to the end of that decade, planting and harvesting in the Territory was confined to the upper section of the plains-valley of the Arkansas River; to small areas in the San Luis Valley; and to districts on the South Platte and its tributaries, near the foot-hills. Practically all of the section lying westward of the Continental Divide still was in a wild condition.

The completion of railroads to Denver, in 1870, greatly invigorated agriculture, as it did every other vocation in the Territory. The beginning of the railroad era was conspicuously marked by the coming of several large bodies of colonists formed to settle in localities that could be made fruitful by irrigation, and of which movement the history has been narrated in a preceding chapter of this volume. Although the members of these organizations, as well as the many other farmer-immigrants of that period who migrated independently, met with some backsets, they and nearly all of the earlier tillers of Colorado soil had become prosperous by the time in which the Territory was transformed into a State of the Union. The possibilities of agriculture by the aid of irrigation in the Pike's Peak country now had been demonstrated abundantly, and the only remaining question in connection with it was that of its further extension—a work that has been carried forward bravely, steadily, and with most remarkable results, from the year of Statehood on to the present time, and which is yet far from its completion.

The boundaries of Colorado embrace about 66,500,000 acres of land. Some twenty millions of these form the plains section of the State, east of the Rocky Mountains, while the remaining 46,500,000 are divided between the mountain area proper, the valleys of the Rio Grande and San Juan rivers, and the "Western Slope." But in the mountains there are valley-like depressions, known as "parks," which are not only beautiful places, but productive of crops suited to their elevated situation.

The soils of Colorado chiefly are of granitic origin, having been formed by the disintegration of rocks. Usually they are rich in potash and phosphoric acid, and contain an appreciable quantity of organic matter, which three elements are the great essentials to plant-life. To those not familiar with them, our soils, brown and bare as they are in their natural condition, seem unfertile. But as the country has not had frequent heavy rains, they have not been leached of their plant-food, and therefore their holdings of this material represent the accumulations of ages, and also the results of refining processes that have rendered it more easily available to plant-life. All that these soils need to make them exceedingly productive is a supply of water sufficient to their irrigation. In consequence of the varying rock-formations from which they were mainly derived and of the intersection of different drifted detritus, they range in their constitution from gravelly or sandy soils to sandy and to heavy clay loams, the latter being commonly known as "adobe," which carries a large proportion of fine clay, and from which the Mexican and some of the American pioneers of Colorado made bricks for building-purposes, by the simple process of drying them in the sun after moulding. All of these soils have agricultural value, but the successful cultivation of each must be by methods best adapted to its peculiarity, and also must vary with altitude.

Colorado's drainage is to each of the cardinal points of the compass. The waters of the eastern slope are carried off and find their way into the Gulf of Mexico by the systems of the Arkansas and South Platte rivers; the North Park, comparatively a small area, is drained by the North Platte, which locally flows northward, and after making a long detour joins the South Platte in western Nebraska, where the two form the beginning of the Platte River proper; the Western Slope by the systems of the Green and Grand rivers, which, at their union in Utah, become the great Rio Colorado; while in the south, west of the Sangre de Cristo Range, and in the southwestern section of the State, the outflow respectively is by way of the Rio Grande and the San Juan rivers, the latter being an affluent of the Rio Colorado.

In his recent *Handbook of Colorado Resources*, Thomas Tonge classifies elevations in the State and estimates their respective areas as follows:

| | Sq. Miles. | Acres. |
|-------------------------------|------------|------------|
| From 3,000 to 4,000 feet..... | 4,900 | 3,136,000 |
| “ 4,000 to 5,000 “ | 22,700 | 14,528,000 |
| “ 5,000 to 6,000 “ | 17,100 | 10,944,000 |
| “ 6,000 to 7,000 “ | 12,725 | 8,244,000 |
| “ 7,000 to 8,000 “ | 13,500 | 8,640,000 |
| “ 8,000 to 9,000 “ | 11,500 | 7,369,000 |
| “ 9,000 to 10,000 “ | 8,600 | 5,504,000 |
| Above 10,000 feet..... | 12,900 | 8,296,000 |
| Totals | 103,925 | 66,652,000 |

The agricultural lands of Colorado conveniently may be considered as being divided into three classes, viz: those lying not higher than six thousand feet, and requiring irrigation; those at elevations above six thousand feet, and requiring irrigation; and those lying below six thousand feet, which may be cultivated without irrigation.

Those of the first-mentioned that are upon the Eastern Slope, and which include the tracts first farmed by our American pioneers, lie along the Arkansas and South Platte rivers and their branches; those upon the Western Slope skirt the channels of the Grand, Gunnison, and Uncompahgre rivers, as well as the courses of the affluents of these streams; and in the southwestern section of the State there are such lands in the valleys of the Rio los Animas and other tributaries of the Rio San Juan. Upon maps of common size that show these lands so colored as to indicate that they are cultivable under irrigation they appear as narrow fringes on both sides of the streams. But their area is much larger than it seems in a glance at such maps.

From Cañon City, where the Arkansas River emerges from the Royal Gorge, the immediate valley of that stream broadens until, at Pueblo, it has a breadth of several miles. Here the river receives the outflow of the Fountain River, from which tributary the extensive tracts that are under cultivation along its course between Colorado Springs and Pueblo are irrigated. In the vicinity of Pueblo there are many thousands of acres that are regularly planted to garden vegetables, and some of the farmers in that locality devote their attention and energy entirely to the production of celery, asparagus, cauliflower and cabbage. Rocky Ford, in the middle section of the valley, is the center of the melon-growing and honey-producing industries. But the most important agricultural products of the Arkansas Valley are sugar-beets, to which large areas are devoted. For the extraction of the sugar from these vegetables there are factories at Rocky Ford, Sugar City, Swink, Las Animas, Lamar and Holly, the larger of which being at Rocky Ford. Barley and oats, as well as winter grain, figure rather largely in the agricultural operations in the valley, but in most sections of it the irrigated lands are too valuable to be planted to corn, although crops of that cereal yielding from twenty-five to sixty bushels per acre have been grown.

The farmers of the Arkansas Valley now are practicing a general rotation of crops, such as location, soil, and market-prospects suggest, commonly using alfalfa as the basis of this process. Many of them find it advantageous financially, beside maintaining the fertility of their land, to feed their alfalfa and grain to cattle and hogs. According to the report of the State Engineer, for the year 1908, the aggregate of the areas in the Arkansas Valley that were cultivated in that year, including those given to fruit-trees and native grasses, was 439,415 acres.

The agricultural section of northern Colorado, east of the mountains, lies in the drainage basin of the South Platte River, but the greater part of it is in the triangle defined by the channel of that river, the base of the foot-hills and the course of the Cache a la Poudre River. The more important of the South Platte's tributaries that flow through this triangle are Clear and Boulder creeks, and the St. Vrain, Little Thompson and Big Thompson rivers. It has been said truly that this three-cornered area "is the heart of Agricultural Colorado, with every advantage of soil, water,

climate, markets, and transportation; with every privilege of an advanced social, religious, educational and industrial development; and with every facility for continued growth and progress along the highest plane of modern civilization." The area of the land now cultivated in this triangular district is the equivalent of about 600,000 acres, nearly one-half of which is irrigated by water drawn from the Cache a la Poudre, the length of which from the place in which it breaks away from the foot-hills to its confluence with the South Platte is some twenty-five miles. But along this part of its course there are eighty-four reservoirs that receive their supply of water from the stream. It has been estimated that since the introduction of irrigation into the Poudre Valley the latter's farm-lands have yielded to their owners about fifty million dollars' worth of produce.

The soil of the Poudre Valley is exceedingly fertile; and for an example of the magnitude of its rewards to an intelligent and industrious farmer I shall cite the results accomplished by one residing in the neighborhood of the city of Fort Collins. In 1906, this man, tilling a rented farm of 320 acres, realized from his crops grown in that year—hay, wheat, and sugar-beets—the gross sum of \$14,817. His rental was \$3,000; his expenses, including the cost of hired labor, were about \$5,000. Therefore his net profits were nearly \$7,000. It may be proper to add that he converted his hay and beet-tops—the latter having a forage-value equal to that of alfalfa—into mutton by feeding them to a flock of lambs numbering 3,600 head. When, in the year 1900, this thrifty planter first became a tenant of the farm he cultivates he was in debt some two thousand dollars. At the time of this writing his net accumulations from his operations upon it amount to about fifteen times the sum of his former indebtedness.

The great development of sugar-beet culture in Colorado, which has done so much to improve our irrigated lands, to increase their value, to stimulate more thorough farming, and to demonstrate the extent to which intensive cultivation of soil may be carried on in our State, is a work of recent years. Although some sugar-beets had been grown in Colorado before the panic year of 1893, the acreage planted to them was small and the harvest was used as food for stock. It was not until 1899 that the sugar-making industry was introduced into the State, in which year a sugar-factory was built at Grand Junction, and crops of beets for its supply of raw material were raised by farmers living in the section tributary to that city. In the next year, farmers in the localities of Rocky Ford and Sugar City followed the example of their brethren of the Western Slope, while factories were being constructed at those towns. In 1901, a sugar-factory was erected at Loveland, and beets sufficient to its requirements were grown by farmers in the neighborhood. Since that year, twelve other factories have been built. Eight of these are in the drainage basin of the South Platte, respectively at Eaton, Greeley, Windsor, Longmont, Fort Collins, Sterling, Fort Morgan, and Brush. The others are in the Arkansas Valley, and have already been mentioned; the one at Las Animas, erected in 1907, being the latest addition to the facilities for producing refined sugar. The aggregate capacity of the sixteen establishments, which operate during the autumn and winter months, is about ten thousand tons of beets per day; and their annual disbursements in cash, to beet-growers and for labor and expenses directly connected with their operation, total nearly seven million dollars. It was believed in the beginning by some farmers that beets soon

would exhaust the soil and leave it in a useless condition. But this has not proved to be the case; and, with proper rotation of crops, there is no sound reason for anticipating that land adapted to sugar-beets may not produce them indefinitely.

As indicated by the locations of the various factories, the greatest extension of this industry in Colorado has been made in the valley of the South Platte; and in parts of this section of the State the crops of beets have been exceptionally large, and correspondingly profitable to their growers. In the district around the town of Hillsboro, in Weld county, the gross value of yields has ranged up to \$150 per acre, the quality of the crops being of a high grade. At the Lewis and Clark Exposition, at Portland, Oregon, eight gold medals were awarded to Hillsboro sugar-beet growers in competition with exhibits from twelve other States in which beet-sugar is produced.

Culture of the potato is another highly important feature of agriculture in northern Colorado; and, while this vegetable flourishes in most of the other parts of the State, its cultivation has been made a great "specialty" in the district of which the city of Greeley is the metropolis. It was among the produce raised by our pioneer American settlers; and, for a few years, brought very high prices. A Denver newspaper, in its issue of May 23, 1860, said that "potatoes are sought after at \$16.00 per bushel." Some that were grown in the Clear Creek Valley in the summer of that year were considered remarkable because they "measured 2½ inches in breadth and 4½ in length." However, potato-raising in Colorado in the early years was attended by some uncertainty and consequent disappointment, as successes for a few seasons upon land that seemed well adapted to the vegetable suddenly were followed by failures. Present-time results throughout the State, that are so bountiful, have been attained by systematic and persistent scientific study of every element of the subject.

The Greeley District long has been in the lead in the production of the potato, and for which it has become famous far and wide. About 30,000 acres were planted to this vegetable in that district in the year 1908, without using commercial fertilizers, and the yields over the entire field ranged from 100 to 150 sacks (200 to 300 bushels) per acre. The average total cost of planting, cultivating, harvesting and marketing the crop was about \$35.00 per acre. During the last ten years the average price received for potatoes by the farmers of that district has been nearly seventy-five cents per hundred weight; but during the last half of this period the returns have been larger than in the first half. Some potato-growers in the State have greatly exceeded the figures for yields that are given above, and which are those of the run over a large area. More than 800 bushels of potatoes have been produced, under exceptionally favorable conditions, yet without the assistance of commercial fertilizer, from one acre of Colorado soil; while 400 bushels are not uncommon upon farms containing tracts of ground peculiarly suited to this vegetable.

The immediate valley of the South Platte in the plains section of Colorado is some 225 miles in length, stretching from Platte Cañon, which is about twenty miles southwesterly from Denver, to the northeastern corner of the State, varying in width from three to six miles, and having a soil that largely is an alluvial deposit of good fertility. That part of the valley which is in the vicinity of Denver, and which includes the neighborhoods

of some of the capital's suburban towns, principally is given over to general truck-farming and small fruits, with abundant and very profitable results. In the portion of the valley lying between the Greeley district and Julesburg, and in which the flourishing towns of Fort Morgan, Brush, and Sterling are situated, the crops produced in the triangle to which I have referred in the foregoing here are grown with almost as large a measure of success. Onions figure prominently in the harvests in this part of the valley, and to some growers of them the market value of the yield runs as high as \$600 per acre. Forty bushels of wheat, sixty of oats and barley, 250 of potatoes, twelve to fifteen tons of sugar-beets, and from four to five tons of alfalfa hay are not rare events in this district; while fruit, berries, melons, and honey further swell the revenues of nearly all its farms.

Several canning-establishments in northern Colorado encourage the cultivation of sweet corn, pumpkins, squashes, and the various smaller vegetables especially suited to their purposes; and in consequence thereof this division of agriculture is expanding rapidly in that part of the State.

Colorado's Western Slope has been in late years the scene of a very rapid and profitable development of general agriculture, including under this head the industry of horticulture. While that slope now is the great fruit-producing section of the State, and is more widely noted for its bountiful orchards, every kind of grain, and of root-crops and those of other vegetables, that can be grown at elevations ranging from 4,000 to 5,000 feet, yield abundantly in all its valleys when properly cultivated.

In the year 1907, a farmer in the Uncompahgre Valley harvested from a field of fifteen acres 736 bushels of potatoes per acre, grown between the rows of apple trees of a young orchard, and which occupied a part of the ground. Another, in the same valley and in the same season, produced 1,800 sacks of onions from four and one-half acres of land, the value of the crop about \$4,500. This farmer also raised in that season 13,200 bushels of potatoes on sixteen and one-half acres; 1,127 bushels of wheat on twenty-one acres; while his oats and cabbage yielded respectively at the rate of 114 bushels and 32,000 pounds per acre. In the district around the town of Palisades, on the Grand River, in Mesa County, and which lies at an elevation of about 4,500 feet, the various fruits together with cantaloupes are produced in great profusion, the melons rivalling those raised in the vicinity of Rocky Ford and elsewhere in the lower part of our section of the Arkansas Valley. This district also enjoys the distinction of containing the most valuable farming land in the Nation, as a tract in it was sold in the spring of 1908 at a price said to have been \$4,000 per acre.

The valleys of the Western Slope are favored by Nature both in soil and in climate, and the combined effects of sunshine and careful irrigation bring results that are highly satisfactory to the capable farmers who have established their homes in them. Sunshine gives quality to the apple, the peach and their kindred, to the potato, the melon, the sugar-beet and other vegetables, and to the cultivated as well as the native forage. The farmer with sufficient knowledge and judgment to apply irrigation to his fields at precisely the proper time and in the proper quantity is rewarded with maximum crops and the premiums of the markets; and therefore is enabled to swell his reserve in bank at a healthful rate year by year. Thousands of acres of good land annually are being added to the cultivated areas upon

the Western Slope, through consummated works for irrigation that utilize previously unappropriated waters of the streams, and that receive and hold in store in reservoirs the surplus that is afforded when the natural waterways are at a high stage.

As elsewhere, the cost of irrigation per acre per season on the West Slope varies with the character of the soil, the crop or crops grown, the method of distributing water that is employed, the charges fixed by the organization which controls the systems of ditches and reservoirs that supply water, and also with the rate of precipitation and evaporation in the section in which the land is situated. Furthermore, one farmer may not make a given quantity of water irrigate more than forty acres, while another may use it successfully for watering nearly twice that acreage.

I shall now turn to some consideration of agriculture in Colorado at elevations higher than 5,000 feet above sea level. The most extensive arable area that falls into this classification is that of the San Luis Valley, lying between the Sangré de Cristo Range and the Continental Divide, in the southern part of the State, with altitudes ranging from 7,000 to 8,000 feet. It is a plain, nearly level, about one hundred miles in length (from north to south) and forty in width, embracing somewhere near two and one-half millions of acres, and formerly was the bed of a land-locked lake. Cultivation of its soil is almost wholly dependent on irrigation, which is supplied by the flow of water in the Rio Grande and lesser streams in that section of the State.

Small grains and almost every variety of vegetables, of excellent quality and satisfactory yield, are produced in this valley. Flour made from its spring wheat is of high grade, and the largest known average yield of potatoes per acre, either in Colorado or elsewhere, 794 bushels, was taken from soil near the town of Del Norte, the county seat of Rio Grande County, in the year 1902. The valley also is famous for its prolific production of the Colorado field-pea, to which about 150,000 of its acres annually are planted. This crop, which requires cool climatic conditions, much sunshine, and generous irrigation, is fed to hogs and lambs to "finish" them for the markets. A noted writer on agricultural subjects, who visited the valley recently, expressed the impressions that it made upon his mind and thoughts in the following words:

"Forever will I bear in mind the cool, crisp, sunny, fertile San Luis, with its yellow stacks, its heaps of grain, its great herds of healthy and fat lambs, its cattle, its pigs, its little homes, destined soon to be superseded by larger farm-houses, its sunrises, its sunsets, so beautiful as to seem unearthly, the snowy peaks of the Sangré de Cristo, tinged a rosy red by the rays of the setting sun, testifying to him who can read of the love and goodness of God. It is a good land, and it is filling with a good, brave people."

North by east from the San Luis lies the Wet Mountain Valley, between the Wet Mountain Range on its east and the Sangré de Cristo on its west, at an average elevation of 7,500 feet, having a length of some thirty miles (from north to south) and a width that averages about seven miles, and drained mainly by Grape Creek, a right-hand tributary of the Arkansas River, and which joins the latter near Cañon City. While stock-raising is the principal occupation of its people, this valley has maintained for fully twenty-five years a creditable reputation as a producer of potatoes of high quality, and of very superior alfalfa and timothy hay, which are the main crops. However, wheat, rye, barley, oats, and the hardier kinds

of vegetables are grown in considerable quantities, and add to the value of the land. The valley, which is one of the beauty-places in Colorado, hemmed in by rugged mountains and teeming with verdure, is, like the San Luis, a plain, nearly level.

The part of the mountain-valley of the Arkansas River that lies in Chaffee County, and the South Park, which is the greater portion of Park County, contain areas cultivated under irrigation at altitudes varying from 7,000 to 8,500 feet. Most kinds of vegetables, together with small grains, field-peas, and alfalfa are very successfully produced in the vicinity of the city of Salida. The town of Buena Vista, above Salida, is the center of this agricultural district; and small grains, vegetables, and bush fruits do exceptionally well in its neighborhood. Oats frequently attain a tallness of eight or nine feet, and yield over one hundred bushels per acre. Crops nearly the same as these are grown in the South Park, but the leading product of its soil is hay, cut from irrigated meadows, and which commands the top of the market in Denver. The writer of these pages has succeeded in maturing in the South Park, with the cooperation of one of its residents, a good stand of black-hulled barley at an elevation of 10,200 feet.

Returning now to the Western Slope, we shall find agriculture flourishing in several of its districts that range in altitude as high as 8,000 feet.

In the Plateau Valley, in Mesa and Delta counties, and which is drained by Plateau Creek, a left-hand branch of the Grand River, and is elevated above 6,000 feet, are prosperous farms that produce grain of good quality, various vegetables, and have thrifty orchards. But, in consequence of the lack of ready means of transportation, the live-stock industry at present takes the lead in this valley.

After the Gunnison River emerges from Lost Cañon, which has an altitude of 8,000 feet, that stream's valley broadens to a considerable extent, and has become widely known for the wealth of native hay that is cut from its irrigated meadows. Some years ago, seven sisters acquired a stock-ranch in this locality, and, though they went largely into debt for it, they made it, by wise management and within a few years, the most prosperous property of the kind in all that section. By themselves they did all the work that the ranch required, and were chiefly instrumental in revealing and demonstrating the value of the land in the upper part of the Gunnison Valley. Of the valley, recently harvested 4,517 pounds of oats from a measured A girl sixteen years of age, living upon the Lost Cañon Ranch, at the head acre—a yield that was at the rate of 141 bushels of standard weight per acre.

Agriculture at similar elevations also flourishes in the valley of the Eagle River, for a distance of some forty miles from the confluence of that river with the Grand River, at Glenwood Springs. But the valley is narrow, varying from one-half a mile to three miles in width, and is bordered in most of its length by gypsum hills, between which are small lateral valleys or gulches. Eastern farmers often pay high prices for gypsum for fertilizing their lands, but here it is provided in abundance by Nature and without cost. Wheat, rye, oats, barley, vegetable and forage crops are grown in this district very successfully, and in addition thereto sugar-beets, the sugar-contents of some of which have tested more than 24 per cent., are cultivated.

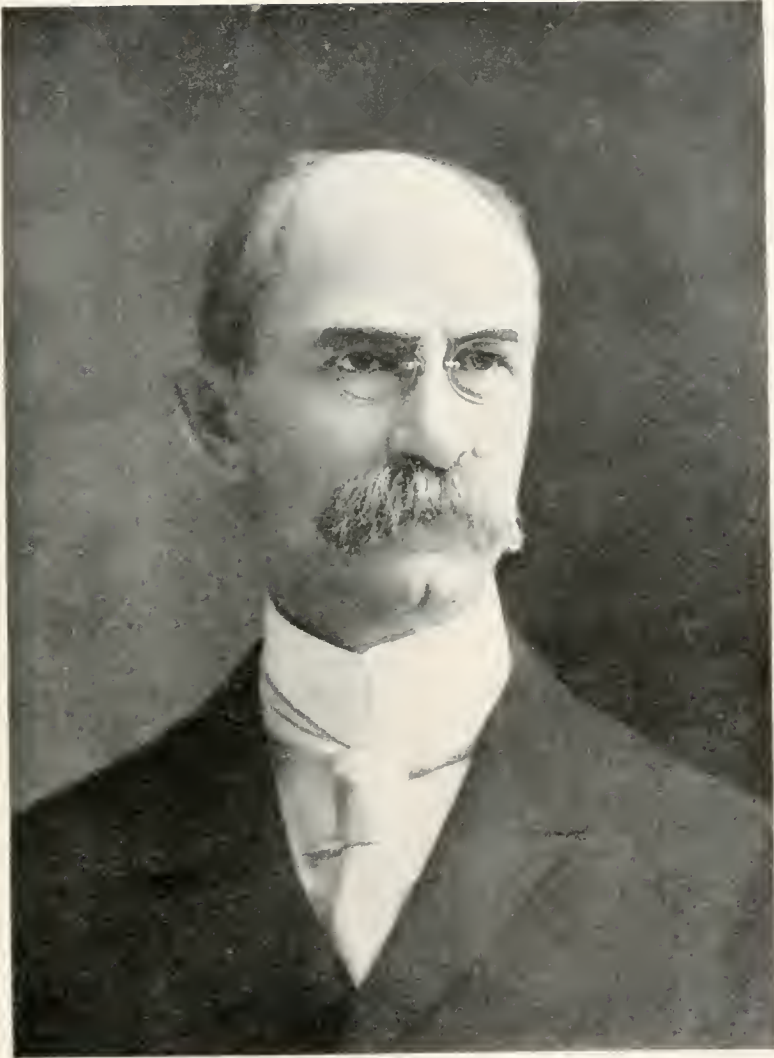
The valleys of the Roaring Fork and Crystal rivers, which are

comparatively narrow, and here may be considered as constituting one agricultural district, with elevations ranging from 6,500 to 8,000 feet, converge at the town of Carbondale, near the southeastern corner of Garfield County, and not far from the base of Mount Sopris, that rises from the level plain at the junction of the streams and forms one of the great landmarks of the Western Slope. The products of this district are about the same as those of the valley of the Eagle River, but some are of a higher quality. This applies especially to the potatoes, which have given the district a fair fame. These are of a variety imported from Scotland, and which found the soil of the district peculiarly hospitable to them, and have become the type that is most cultivated, as well as frequent winners of first premiums when exhibited in competition with others. The district's leading potato-grower, who exercises great care in preparing his crop to go forward to market, usually receives net returns for it at the rate of from \$100 to \$200 per acre. Of the other products of the district, oats weighing fifty-two pounds to the bushel and yielding over one hundred bushels per acre, and wheat at sixty-four pounds per bushel and sixty-eight bushels to the acre, have been harvested; while as much as 150 tons of sugar-beets, selling for \$750, have been produced from five acres of land. Timothy, alsike, red clover, and alfalfa do exceptionally well in both valleys, even at altitudes as high as 8,000 feet.

Agriculture is making excellent progress in the Montezuma Valley, in Montezuma County, which lies in the southwestern angle of Colorado, and of which the larger part is drained by tributaries of the San Juan River. This valley is a portion of the section of our State that contains the ruins of many structures that were built and occupied by the Cliff Dwellers, who undoubtedly were the earliest tillers of Colorado soil; and here, as elsewhere in that county, they have left traces of the ditches which they used in watering their gardens and fields. Modern farming in the Montezuma Valley has been developed to an extent that would have been thought, twenty-five years ago, highly improbable, if not altogether out of the question. Practically all of the valley's arable land is at an elevation higher than 6,000 feet, and at the present time alfalfa is its great forage crop, the yield of which often runs as high as seven tons per acre. There is now under construction in the valley an irrigation system that will water between 50,000 and 60,000 acres of fine soil, which is well adapted to the small grains, fruit, and nearly every kind of vegetables.

In La Plata County, which borders Montezuma on the east, are the valleys of the Los Animas, Los Pinos, and other affluents of the San Juan, that are the scenes of a thrifty agriculture, with the city of Durango, on the Los Animas, as their market-center. Although the Los Animas Valley, which extends a considerable distance above that city, is narrow, varying from one-half mile to one mile in width, it is a rich and delightful agricultural district; and in the neighborhood of Durango there are more than sixty thousand acres of very fertile soil. Shielded on the west and north by lofty ranges, the farmers in this section produce the choicest of tree and bush fruits, beside grain and a great variety of vegetables; and for all that their lands can be made to yield they have a ready home-market, that insures good prices for the produce.

In the northwestern part of Colorado there are very extensive areas of excellent land. Although stockmen and farmers already have taken pos-



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session of most of it, it may be said that agriculture still is in its infancy in that part of the State, but for which the future holds great possibilities. The section is drained by the White and Yampa (or Bear) rivers and their network of tributaries, which afford a large supply of water for irrigation. Its pioneer white occupants were stockmen, who, attracted by the wealth of native grasses growing in the valleys, went there with their herds of cattle nearly forty years ago. The arable land produces in abundant measure every product of the soil that is raised in any other part of the Western Slope; but the lack of railroad facilities for transportation heretofore has retarded agricultural development upon it. However, this obstacle now has been removed in part by the construction of the Denver, Northwestern & Pacific Railroad into the eastern border of Routt County, and which soon shall be extended on westward to a terminus at Salt Lake City. Routt County has been a "paradise" for stockmen, as the rich growth of the natural meadows afforded exceedingly nutritious pasturage, which gave exceptionally good qualities to the beef of their cattle. In late years they have been growing hay-crops for winter feed for their stock, which flourishes throughout nearly three-fourths of the year by feeding upon the natural grasses of the higher lands. The timothy and red clover of these ranch meadows are as fine as any that the writer ever has seen. The richness of the soil also is manifested in the crops grown by the farmers proper. There are now (1909) under farm cultivation in Routt County upward of forty thousand acres; but the area of that division embraces more than four millions. It has been estimated that between twenty and thirty per cent. of the whole may be made profitable agricultural land. As stated by Mr. Goudy, who deals with the subject of irrigation in the next chapter of this volume, the construction of several very large irrigation systems is now under way, and several more are about to be commenced, in Routt and Rio Blanco counties. These facilities for watering the land, aided by the extension of railroads that is sure to be made within a short period, will revolutionize conditions in northwestern Colorado, and be accompanied by the inflow of a large population of producers.

Next east of Routt County lies the North Park, sometimes called "the Tibet of the State," having an average elevation of 8,000 feet, and which is bounded on the west and south by the Continental Divide, and on the east and northeast by the Medicine Bow Range. This park, which constitutes Jackson County, the latest of Colorado's county-divisions, is a mountain valley about thirty miles in width and some sixty miles in length (from south to north), and is drained by the headwaters of the North Platte River, that are constantly fed in the warm seasons by the melting of snow upon the high ranges that almost encircle the depression. This valley was entered and occupied by stockmen in times when Colorado was a Territory; and ever since that period cattle-raising, including hay-making for the stock's winter feed, has been the principal industry in the park. As the streams carry a bountiful supply of water for irrigation, the stockmen now grow, in addition to hay, field-peas, oats, sugar-beets, and other fattening cattle-foods to supplement their crops of hay and the natural pasturage of the valley, in which, it seems, their interests will continue to predominate.

Crossing that part of the Continental Divide that forms the southward boundary of the North Park, we enter the Middle Park, another mountain valley, the altitude of which is about the same as that of the former; but

its area is greater, and consists of alternating mountain-ridges of the second order and minor valleys, the whole being drained by the upper reaches of the Grand River and their affluents. Excepting a comparatively narrow gateway in its west side, through which the Grand passes, this park is surrounded by high ranges, the Continental Divide marking its eastern boundary. While the broken topography of the Middle Park renders most of its area more suitable for pasturage than for agriculture, some grain and various crops for cattle-feed successfully are grown in many localities. Yet it is probable that the livestock industry will remain in possession of much the greater portion of the useful land. The Denver, Northwestern & Pacific Railroad, which runs through the central part of this park, gives ample facilities for transporting its products to Denver's and other markets.

In a majority of the sixty counties into which our State now is divided, there are areas lying lower than 6,000 feet, but above the reach of a water-supply sufficient to irrigate them. In the San Luis Valley, the mountain parks, and upon the Western Slope, such lands are of narrowly-limited extent. Their great expanses form parts of the plains in the eastern portion of the State, in which section, that is commonly called the "rainbelt," some of such soils now are cultivated without artificial irrigation, under new methods which conserve the moisture received by rain-fall.

Attempts were made in the last quarter of the nineteenth century to accomplish this result, but in the main these were attended by grievous disaster. Between the years 1880 and 1890, a large number of immigrants, mostly from the Middle West, settled upon some of these lands. As they had come from humid sections of the United States, bringing with them but small capital, and as a part of them were not experienced farmers, while others expected to follow the methods they had pursued "back home," they were not prepared to deal with the conditions due to the climate, meager rain-fall, and the peculiarities of the soil. It happened that there were a few comparatively fat years in the first half of that decade; but these were followed by exceedingly lean ones, in which the feeble crops withered and died. The slender financial means of the great majority having been exhausted, these people were compelled to abandon their lands and go adrift. Therefore, upon each deserted farm a dwelling was left to fall into decay and ruin; and many thousands of acres that had been plowed and planted reverted to their natural condition, and again became parts of the open range, and upon which the cowboys watched their herds as these grazed unmolested by tillers of the soil. This dismaying outcome, that had been hoped for, if not fully expected, by the stockmen, was very gratifying to them, as they regarded with great disfavor such attempts to encroach upon their grazing-ranges, and thus to interfere with the privileges they had long enjoyed.

Again, early in the next decade, there was another invasion of the cattle-ranges in eastern Colorado, by like people, but in lesser numbers. The effects of the panic of 1893, together with those entailed by blasted crops in that and the next year, caused this movement to end in failure for the great body of those who participated in it, and left many monuments thereto in the forms of deserted buildings and abandoned lands.

These misfortunes have prejudiced many persons against all attempts to cultivate these sections of the plains, and in whose minds the term "dry farming" provokes violent expressions of scorn, contempt, and ridicule, as

they associate it only with inevitable failure. However, there is a prominent fact on the favorable side that should not be lost to view: some of the settlers of each of the periods mentioned held their ground, determined to vanquish the odds that appeared to be against them, and to win homes in the new country. Most of these had financial means larger than the average among the throng of men of which they had formed a part, and they knew how to adapt themselves and their operations to the new conditions by which they were surrounded. They added to their equipment some livestock to consume such feed-crops as they could grow, and thus convert these into living assets for which there was a ready cash-market; and they also learned that the dairy-cow and the hen would assist in showing them the way out. While they suffered losses by causes beyond their control, these expedients enabled them to overcome most of their difficulties and to obtain a foothold. So they tided themselves through the dry years and hard times, and by experience learned how to farm in that section more and more successfully in each passing year. These men now are well-to-do agriculturists, whose crops of winter wheat have become important factors in the food-supply of the State, and who are showing newcomers into their neighborhoods how to avoid failure and win success in country life in eastern Colorado. Their triumphs present instances of the survival of the fittest, and afford reasons for believing that misfortunes such as those that befell so many of their associates and reduced the latter to homelessness and extreme poverty may not occur again.

In his annual report for the year 1905, Dr. Elwood Mead, of the United States Department of Agriculture, and then in charge of investigations connected with the subject of irrigation and drainage, commenting on the disasters that attended the earlier efforts to practice "dry farming," said:

"The bitter lessons of the 'rain-belt' failure lasted for years, but its scars at length healed. Another wave of settlement is sweeping over the plains, including eastern Colorado. Other settlers are buying the abandoned farms. This latest attempt is not a repetition of the first. New methods are being tried. Much has been learned in the past twenty years. Practically every settler who remained in the semi-arid belt has been an experimenter in developing a kind of agriculture suited to the local conditions. The United States Department of Agriculture has searched the world for drouth-resistant crops, and it and the State Experiment Stations have conducted extended experiments to determine their value in the semi-arid sections of America, including Colorado. Independent investigators have been working many years to adapt old varieties to semi-arid conditions."

During the present decade a new generation and a new type of "rain-belters" have been, as Dr. Mead has indicated, acquiring lands, establishing homes, and engaging in agriculture in eastern Colorado under improved methods of "dry farming," by which drouth-resistant varieties of several of the familiar products of the soil are cultivated with implements devised for working the land in a manner that lessens evaporation from it. Investigations for the purpose of determining ways and means for further improvement of these methods and implements now are in progress.

Results of work by the Agricultural Experiment Station of the Colorado Agricultural College have been of great help to these new settlers in developing what the writer of this chapter has chosen to call "The Thorough Tillage System," for application to these non-irrigated lands of our

State. This system is the subject of the Colorado Experiment Station's *Bulletin 103*, prepared by the present writer, and from which the following is quoted:

"Regions having an annual rain-fall of less than twenty and more than eight inches are usually considered as semi-arid. To successfully grow crops in such regions requires a careful study of soil and climatic conditions, with a selection of crops as nearly adapted to these conditions as possible. Even when all requirements are seemingly met, a failure is sometimes the only result. Experience, and experiments already conducted in many parts of our nation's semi-arid belt, demonstrate that the preparation of a soil reservoir of good depth several months before seeding, the thorough culture of this ground before and after seeding, the selection of suitable varieties of crops, the seed of which is grown under dry farming conditions, are essentials which very largely determine success in farming lands in Colorado where irrigation cannot be practiced."

The bulletin from which the foregoing was taken closes with these conclusions with respect to the cultivation of semi-arid land under the Thorough Tillage System:

"1. Do not assume that all unoccupied land is good farming land under any system of soil culture or crop farming.

"2. Character of soil, amount of rainfall, method of farming and market conditions, on land where irrigation cannot be practiced, must largely determine the success or failure in all farming ventures in Colorado.

"3. Methods of farming which (a) conserve the soil moisture, (b) prepare a good seed bed, (c) reduce the evaporation to as near the minimum as possible, (d) use good vital, acclimated seed, (e) employ a crop rotation which has stock foods prominent, contain at least one money crop, (f) and the practice of thorough tillage of the ground, often tide the farmer over bad years and insure his success in good years.

"4. With all these conditions met, crop failures or low prices will prove disastrous some years, unless stock raising is combined with crop farming.

"5. Most of the crop should be 'driven to market,' in the stock sold from the farm.

"6. Natural conditions must be considered in determining whether lands can be made more profitable for farming than for grazing purposes.

"7. The first principle of semi-arid farming was enunciated by the English farmer, Jethro Tull, nearly three centuries ago, who said 'tillage is manure.'

"8. Present-day experiences and experiments demonstrate that fining the soil has a tendency to render more plant food available.

"9. All so-called soil culture systems are groupings of few or many of the principles of the thorough tillage system, which is the correlated experience of our best farmers of past and present time.

"10. The Thorough Tillage System of farming considers:

(a). Time and manner of plowing the ground.

(b). Time and manner of harrowing.

(c). Firming the soil and formation of an earth mulch to arrest evaporation in semi-arid regions.

(d). Summer culture to fine the soil, conserve moisture and prepare a good seed bed for any crop under drouth conditions.

(e). Principle of capillarity and how moisture may be conserved.

(f). Selection of seed and rate of seeding.

(g). Crops which have shown drouth-resistant power.

(h). Amount of moisture required by plants.

(i). Average crop season rainfall for a period of years in locality where farming is to be practiced.

(j). Crop rotations most profitable for the farmer and the land.

"11. Small grain, forage crops and potatoes have been successfully grown on the Colorado Divide and in certain sections of eastern Colorado, without irrigation.

Thorough tillage will undoubtedly increase the areas where these crops can be successfully grown in our semi-arid lands.

"12. Our best native grass—Western Wheat Grass (Colorado Blue Stem)—Prof. R. A. Oakley of the Agrostology Division of the Department of Agriculture, Washington, D. C., finds will do best on irrigated ground with one early irrigation. More water is a detriment. This would indicate we may yet be able to induce this grass to make a profitable hay crop on cultivated lands where we have ten or more inches of rainfall per annum.

"13. Roots of all cultivated plants make their best growth when the following conditions are supplied:

| | | |
|----------------|---|-------------------------------------|
| A firm, mellow | } | soil well supplied with plant food. |
| A warm, mellow | | |
| A ventilated | | |
| A moist | | |

"14. The earth mulch prevents excessive evaporation and thus conserves moisture.

"15. Deep plowing furnishes a soil reservoir of good depth to store moisture and summer culture conserves it.

"16. Crops require more moisture to mature them under semi-arid than under humid conditions.

"17. Our field crops rank from the lowest to highest in amount of moisture required to mature them as follows: Corn, potatoes, wheat, barley, field peas, oats, alfalfa and red clover.

"18. Ten inches of rain furnishes enough moisture to mature more than twice that number of bushels of wheat per acre.

"19. The amount of rainfall, together with the selection of drouth-resistant crops, must be considered under any system of soil culture—under semi-arid conditions.

"20. The total area of land which can be successfully farmed within Colorado's semi-arid belt is yet to be determined.

But there must be a resourceful and painstaking farmer—a man who "mixes brains with the soil"—back of any effective system of agriculture. He is the first and greatest factor among the causes that assure success.

To save expense and loss of time on the part of the new settler upon Colorado's non-irrigated land, the United States Department of Agriculture has established two demonstration-farms in the eastern part of the State, where, as I have said, the great body of our semi-arid soil lies. One is situated adjacent to the town of Akron, and is managed by the Dry Farming Investigations Office; the other, which is supervised by the Irrigation Investigations Office, adjoins the town of Eads. These farms are being used to determine what can and what cannot be profitably cultivated, without artificial irrigation, upon the drier of the lands in that section of Colorado, and also to develop the most successful system of agriculture adapted to such farming. Let us trust that with these forces thus co-operating with the man behind the plow the interests of the settler in eastern Colorado will be safeguarded, and that he shall speedily find himself upon a highway to prosperity. While he may not gain from his acres a revenue such as that which the farmer of irrigated land receives, he may be enabled to produce a high percentage of profit on his capital, which needs be but a moiety of that that the other must invest.

In no division of agriculture (using this term in its broad sense) in our State has greater advancement been made than in fruit-growing; and, although some fruit was produced in Colorado in the Territorial period, the present striking development of the industry practically has been

accomplished within the last twenty years. While all but a few of our pioneers of 1859 and '60 were very doubtful as to the worth of the soil in the Pike's Peak region for continuous cultivation for grain and vegetables, they were even more incredulous as to its adaptability to fruit-raising. However, there was one of their number who, in 1860, thought it worth while to make a trial with fruit trees, as we learn from the following item of local news that appeared in the issue of a Denver newspaper on May 2d, of that year:

"We noticed a small parcel of fruit trees unloaded from the express coach a few days since. They were consigned to S. Howe, and are, no doubt, the first orchard trees ever brought to this region."

The present writer regrets that he has been unable to gain any information as to the place in which these trees were planted and of the results of the experiment.

Shortly after the Civil War, fruit-growing began to receive a considerable measure of attention in Colorado. While some small fruit, mostly of the berry family, was produced in the meantime, it was not until the fore part of the next decade that home-grown tree-fruit began to appear in the markets of the towns in quantities sufficient to remove it from the category of novelties.

Prominent among Colorado's fruit-growers in that period was Jesse Frazier, a pioneer of 1859, and who, in April, 1860, laid claim to and took possession of a tract of fine land that abutted the Arkansas River in a locality about eight miles below Cañon City. In after years he turned his attention to tree-borne fruit, and at length found himself in possession of the finest and most valuable orchard in the Territory. The neighborhood continues to this day to be a highly productive fruit district.

A substantial and encouraging beginning having been made, the further development of fruit-growing was continued by an increasing number of land-owners. Yet these efforts were beset by difficulties due to various causes arising from the lack of experience and also from faulty judgment, and which entailed frequent disappointments and failures. However, the work was prosecuted without intermission by men of strong faith and will; and each succeeding year brought them better and better results. But the home-production of a full supply of fruit for Colorado still was to be an event of the future. Concerning this and other conditions in times near the end of the decade of the '80s, General Frank Hall, writing in the year 1889, said:

"Though the people of the State are now, and for years—indeed, ever since the completion of the Union Pacific Railway—have been largely dependent upon Salt Lake City and California for their supplies of domestic fruits, the progress made and making by our own horticulturists, will, in the procession of the cycles, render us comparatively independent of foreign sources, in the matter of apples, grapes, pears and plums. The quality of the fruits raised here is equal to the best produced elsewhere, and while we may forever lack some of the varieties which are so lavishly furnished by our neighbors of the Pacific slope, and by the well-matured orchards of southern Kansas, there is reason to hope that we may be able to reduce the annual outflow of money for these staples when the industry shall have been further developed."

At the time the foregoing quotation was written nearly all the fruit produced in the State was grown in that part of Colorado which lies at and near the eastern base of the mountains. Horticulture upon the Western

Slope then was in its infancy, and there were but few men in the State who anticipated that it ever would outgrow the needs of the local markets and those of mining towns within short and easy reach. The possibilities of fruit-culture in the Western Slope section became more evident in the first half of the next decade, since which period the great development of the industry and the consequent prosperous conditions in western Colorado have come to pass.

While peaches and the smaller of tree-fruits are grown in great abundance, the principal fruit crop of the Western Slope is that of apples, which are produced in vast quantities, and are of excellent quality and bring the highest market prices, which likewise is the case with all its other orchard products. The yield of these orchards, together with that of those in other parts of the State, now supply not only the home demand, but provides a large surplus that is sent to distant markets. Colorado fruit now is familiar to and favored by thousands of consumers in the eastern States, as well as by other thousands in Utah, Nevada, and California. The southern part of the last-named State affords an eager market for many car-loads of Western Slope apples every year.

The remarkable profits realized by the fruit-growers in western Colorado have caused the values of all lands in their section of the State, that are adapted to the purposes of orchards, to advance by leaps and bounds; and, as I have already remarked, producing land in the Palisades district recently sold at the record-breaking price of \$4,000 per acre. Yet, even with the soaring valuations and consequent greater investment of capital, lavish prosperity attends the industry. With but few exceptions, the title to the orchard-farms is vested in those who occupy and conduct them. Many of these went more or less into debt for their land; but the foreclosure of a mortgage has been a rare event.

During the season of picking and packing the fruit, much assistance is hired. Most of the picking is done by transient laborers, who flock in at the beginning of the season. But nearly all the packing is the handicraft of resident women and girls, who receive good pay for their services. The routine work of the orchard-farms usually is done by their owners, with occasional help hired by the week or month.

In former times the marketing of the fruit was done independently and in rather a hit-or-miss fashion by its growers, not many of whom attempted to ship it to any great distance, but depended largely on the town-communities of the State for its consumption. But in recent years the distribution and sale of the great bulk of the Colorado fruit crop has been in the hands of associations, the membership of which consists of fruit-producers. These organizations are corporations, their stock being owned by fruit-growers; and their object is not only to market the crop with greater ease, in wholesale quantities, and to better financial advantage, but also to furnish general supplies to their members at a price lower than that which these otherwise would have to pay. After deducting a small commission to cover the expense of warehousing, freight, and incidentals, the remainder of the proceeds of the crop is paid to the growers. As the fruit is required to be graded carefully, according to quality and size, and attractively packed in neat boxes, these associations have established a high and far-reaching reputation for the products of Colorado orchards.

The Colorado farmer has been and continues to be a winner of premiums at great expositions, as well as at State and district fairs, for the superior quality of his products of the soil. At the Columbian Exposition, at Chicago, in the year 1893, eighty-one of the 371 Colorado exhibits were awarded special premiums. Although the United States Department of Agriculture does not, because of the comparatively small area that we devote to wheat, class our State as one of the "Wheat States" of the Union, the Colorado exhibits of this grain at the Columbian Exposition surpassed those of any other State, and won twenty-five medals. At the Louisiana Purchase Exposition, at St. Louis, in 1904, our farmers received three grand prizes, nineteen gold medals, and 282 other awards, for orchard and apiary products; and for grain, forage-plants, potatoes and other vegetables, they were given four grand prizes, eighty-four gold medals, and 285 silver and bronze medals. Of the 767 prizes won by Colorado exhibits at that exposition, 626 were awarded to agriculturists of our State. At the Lewis and Clark Exposition, at Portland, Oregon, in 1905, Colorado displays of fruit, grain, forage, and vegetables, were accorded 248 gold medals, 145 of silver, and sixty-nine of bronze, beside forty-four special awards—a total of 506 out of the 811 premiums that were awarded to the whole of the agricultural exhibits that were entered at that exposition.

These successes and those that have been achieved at minor exhibitions of the results of agriculture have spurred the Colorado farmer still further to enhance the quality and increase the quantity of his direct and indirect products of the soil. He will not be content until he has made his grain, forage, vegetables, and fruit, his beef and dairy cattle, his horses, hogs, sheep and lambs, the best and most profitable that experience and close attention can enable men to accomplish. For all that he has to sell he has a cash market which is very largely his own.

While we have in our State a variety of gainful occupations, the economic relations of each of these to all the others is close; and we rejoice in this interdependency of the farmer, miner, ranchman, capitalist, manufacturer and merchant, each of whom derives support from and gives strength to the rest, and thus maintaining a community of interests that coöperates for the general welfare of our Commonwealth.

CHAPTER XXVI.

IRRIGATION.—ANTIQUITY OF THE PRACTICE.—IRRIGATED AGRICULTURE BY THE CLIFF DWELLERS.—EARLY IRRIGATING DITCHES IN NEW MEXICO.—BEGINNING OF THEIR USE UPON COLORADO SOIL.—DITCH-CONSTRUCTION BY OUR AMERICAN PIONEERS.—THEIR DEVELOPMENT OF THE MEANS OF WATERING ARID LAND DURING THE TERRITORIAL PERIOD.—THEIR FIRST DITCHES OF GREAT LENGTH.—GOVERNOR ELBERT'S IRRIGATION CONGRESS.—PRESIDENT GRANT'S VAST PROJECT FOR IRRIGATION.—EXTRAVAGANT ESTIMATES OF THE SUPPLY OF WATER AVAILABLE FOR RECLAMATION PURPOSES.—THE GREELEY COLONY'S MAIN DITCHES.—OTHER CONSTRUCTIONS IN NORTHERN COLORADO IN THE DECADE OF THE SEVENTIES.—PRESENT GREAT WATER-SYSTEMS FOR RECLAIMING LAND IN THAT QUARTER OF THE STATE.—THE DISTRICT-IRRIGATION LAW AND ITS EFFECTS.—MODERN IRRIGATION SYSTEMS IN THE ARKANSAS VALLEY, IN COLORADO.—WORK OF THE BUILDERS OF RESERVOIRS AND CANALS IN THE SAN LUIS VALLEY.—DEVELOPMENT OF IRRIGATION UPON THE WESTERN SLOPE.—OPERATIONS IN THE UNCOMPAHGRE VALLEY.—THE GUNNISON TUNNEL PROJECT.—IRRIGATING CANALS IN THE VALLEY OF THE GRAND RIVER.—RECLAMATION IN THE MONTEZUMA VALLEY AND OTHER PARTS OF SOUTHWESTERN COLORADO.—POSSIBILITIES OF IRRIGATION IN ROUTT AND RIO BLANCO COUNTIES.—CONSTRUCTION WORK NOW IN PROGRESS IN THAT SECTION OF THE STATE.—COLORADO LEGISLATION ON THE SUBJECT OF IRRIGATION.—DEVELOPMENT OF AN INDEPENDENT SYSTEM OF LAWS AND CUSTOMS.—STATUTORY REGULATION OF THE DISTRIBUTION OF WATER.—DIVISION OF THE STATE INTO WATER-DISTRICTS.—AREAS OF THESE DISTRICTS.—FUTURE OF IRRIGATION IN COLORADO.—VALUE OF THE STATE'S AGRICULTURAL PRODUCTS.—OPERATIONS OF THE FEDERAL RECLAMATION SERVICE.

BY FRANK C. GOUDY, OF THE COLORADO BAR.

The process of rendering naturally arid land productive by artificial means of supplying it with water, usually by ditches into which is diverted more or less of the flow of a stream traversing the district, but sometimes by other though less effective contrivances, is of prehistoric origin. Such expedients for converting dry and barren ground into fruitful fields were well developed in Egypt some six thousand years ago, and are known to have been in use in Babylonia in times almost as remote. In each of these countries, the practice of irrigation had become the subject of legislation in a very early era. We may read provisions of Egyptian rules and regulations that governed it in a period between which and ours stretches nearly sixty centuries, and even yet without the impress of innovation. We may also read Babylonian laws of like tenor that were in force in the forty-second century back of the present. Yet these were not then new, but were legal promulgations that appear long to have been familiar to the inhabitants of the valleys of the Euphrates and Tigris rivers.

The processes of irrigation are not modern even in the territory of our own country. They were employed by the people upon whom we have bestowed the name of "Cliff Dwellers," who constructed the great and numerous community-habitations that now exist in a ruined condition in southwestern Colorado and in adjacent large areas of New Mexico, Arizona,

and Utah. In the vicinity of many of these the remains of ancient irrigating ditches, which, beyond all doubt, were the work of these tribes of builders, still may be seen and the courses of the channels traced. As no one has any knowledge whatever of the length of time that has elapsed since these people began their occupation of the Southwest, we have no substantial basis upon which to found an estimate of the antiquity of their initiation of irrigation. It is plainly apparent that the aggregate of their numbers in some localities would have been represented by figures running well into the thousands, and that the chase could have yielded only a minor portion of the food they consumed. Therefore, agriculture must have been their main dependence for sustenance. But it is also apparent that the soil of the localities in which these larger communities dwelt in neighborhood could not now be made by people in the barbarous stage of culture to afford such means of living for more than a moderate moiety of a population of such magnitude.

There is eminent scientific authority for the assumption that the climate of the Cliff Dwellers' country underwent a great change during the era in which they occupied it, and that the consequences thereof eventually caused them to abandon their capacious community-houses and to migrate into some more favorable region. But as changes of climate are exceedingly slow, requiring, so far as human knowledge goes, ages for the evolution of any marked modification, this theory throws open a wide field for conjecture as to the antiquity of the use of irrigation by these people.

When the first of the Spanish pioneers of what are now our Territories of Arizona and New Mexico entered that part of the Southwest, not far from four hundred years ago, the Pueblo Indians, some of whom possibly may have been descendants of the Cliff Dwellers, were cultivating irrigated patches of land near their dreary homes, and of which the produce appears to have formed their principal supply of food.

The Spanish settlers of New Mexico resorted to irrigation at the time in which they established permanent communities in the Rio Grande Valley, and which ever since has been in constant use in various localities along the course of that river within the present boundaries of that Territory. While these pioneers had before them the small examples of the Pueblo Indians, it is not unlikely that they had brought with them from Old Mexico some knowledge of a practice of watering arid land by means of ditches, which were obvious methods of accomplishing such a purpose. By the close of the eighteenth century, the Mexican people then dwelling in the valley of the Rio Grande, between Santa Fé and El Paso, had developed local systems of irrigating ditches. Lieutenant Zebulon M. Pike, when he was being escorted as a semiprisoner from Santa Fé to Chihuahua, in the month of March, 1807, noticed and noted some of these. In his *Journal of a Tour Through the Interior Provinces of New Spain*, he says, under the date of March 7th:

"Both above and below Albuquerque the citizens were beginning to open the canals, to let in the water of the river to fertilize the plains and fields which border its banks on both sides: we saw men, women, and children of all ages and both sexes, at the joyful labor, which was to crown with rich abundance their future harvest, and ensure them plenty for the ensuing year. These scenes brought to my recollection the bright descriptions given by Savary, of the opening of the canals of Egypt. The cultivation of the fields was now commencing, and everything appeared to give life and gaiety to the surrounding scenery."

There seems to be no means of determining when and by whom irrigation first was practiced on Colorado soil in modern times. It is probable that something of the kind was done at the early trading-posts that were built on our part of the Arkansas River between the years 1825 and 1840; but if so, it must have been limited to the watering of small garden-patches. There also may have been, prior to 1840, some cultivation of the soil by irrigation at the trading-posts of Fort Lupton (erected in 1837) and Fort St. Vrain (1838), on the South Platte River, in what now is the southwestern section of our Weld County. We learn from Frémont that the proprietor of Fort Lupton was a planter in a small way in 1843; and it is likely that the land then tilled at that post was under irrigation.

It is known that for several years before the war between the United States and Mexico some citizens of New Mexico were engaged in irrigated agriculture, though not upon a large scale, on the Arkansas River, in what now is Pueblo County and the eastern border of Fremont County, as well as upon some of the right-hand tributaries of the Arkansas in that district; but to the greater extent at and in the near neighborhood of the site of our city of Pueblo, where the historic trading-post that was called "the Pueblo," and which was the successor to one or two lesser and less famous establishments of the same sort that already had had their day in that locality, was built in 1842. The ditches used for irrigation by these pioneer tillers of the soil in our section of the Arkansas Valley were simple affairs, made with such engineering skill as that which was possessed by those whose purposes they served. The existence of traces of several ditches that had been constructed and used by the earlier of these Mexican agriculturists gave rise to a belief among some of the American pioneers of Colorado that they were the work of a "prehistoric" people, who at some time in the far past had occupied that part of our State.

An attempt was made about the middle of the decade of the '40s to found a Mexican settlement in the lower section of Colorado's portion of the Rio Grande Valley, but which was defeated by the hostility of the Ute Indians, who did not approve white occupation of the southern border of their dominion. These colonists may have made a beginning of means of irrigating their land, but it appears that they did not remain on the ground long enough to have put them into considerable practical use.

John Hatcher, who claimed to have been the first American settler in that district of Colorado which forms our present county of Las Animas, is said to have located upon bottom land that lies on the Purgatoire River, about eighteen miles northeasterly of the city of Trinidad, shortly before the Mexican War, and there to have constructed, in 1846, an irrigating ditch of between one and two miles in length to water his land. It is further said that in that year he planted and cultivated a crop of corn on a tract containing some forty acres, but which at its maturity was destroyed by Indians, who drove Hatcher from his primitive farm and made his return to it too hazardous for him to attempt.

Near the close of that decade, Charles Autobeas, an old frontiersman and trapper in the West, and who was of French extraction, "settled down" on the Huerfano River, at its confluence with the Arkansas, and there engaged in agriculture, which doubtless was under irrigation, as it would otherwise have been impracticable in that part of the Arkansas Valley. Within the next two years he was joined by a number of Mexican pioneers

sufficient to form a small colony. Frémont, in his *Memoirs*, tells that he halted at Autobeas' settlement when outward bound on his fifth exploration of the Far West, in 1853; and from what he says the inference is that the little community then was in an inviting condition. According to a statement made in General R. B. Marcy's *Army Life on the Border*, Autobeas was "living upon the Arkansas" as late as the spring of 1858; but it appears that his fellow-settlers had dispersed before that time, probably because of Indian objections to their presence.

When, in 1853, Captain John W. Gunnison, of the United States Army, was making his survey of a central route for a railroad from the Mississippi River to the Pacific Coast, he found a community consisting of several Mexican families situated high up on the Huerfano River and living in comfort. These people, beside possessing livestock, were irrigating and cultivating the soil in the locality of their hamlet. I do not know of any further record of this diminutive colony, which seems to have disappeared prior to the American settlement of the Colorado country.

In the year 1852, when the United States military post, Fort Massachusetts, the first establishment of the kind within the area of our State, was constructed, near the western end of the Sangré de Cristo Pass, and which gave protection against depredations by the Ute Indians, a small number of Mexicans, who are also mentioned by Gunnison, settled in the neighborhood of the fort, where they employed themselves in stock-raising and some irrigated agriculture. When Fort Massachusetts was superseded by Fort Garland, built in 1858, a few miles farther down the slope, other Mexicans of like pursuits settled in that section of the Rio Grande Valley.

In 1851 or early in 1852 some Mexicans settled in the lower part of the San Luis Valley, and in the last-named year constructed an irrigating waterway that now is known as the "San Luis Ditch," to which the earliest "decree of appropriation" of water for agriculture under Colorado's irrigation laws applies, and which still is in use.

In the year 1854, Major Lafayette Head, who had become a citizen of New Mexico shortly after the conquest of that Mexican Province by the United States, established in the valley of the Rio Grande, on the Rio Conejos, in the vicinity of the site of the present town of Conejos, the county seat of Conejos County, a colony consisting of some fifty Mexican families. These pioneer settlers in the Colorado country, who were located upon a land-grant that had been conceded by the Mexican Government about ten years before, were both agriculturists and stock-raisers, and maintained a permanent foothold on the Rio Conejos. During the later '50s the white population dwelling on the Rio Conejos was increased considerably by immigrants from older parts of New Mexico; and at the time when the Territory of Colorado was created there were several small communities of Mexican people in the valley of that stream, which then became a part of the new political division.

When, in the summer and the autumn of 1858, our American pioneer gold-seekers came into the Colorado country, it appears that the only white people then located in it were the soldiers who formed the garrison of Fort Garland; the Mexican settlers in the Rio Grande Valley; and the people of the Mexican village of Trinidad, together with a few individuals here and there elsewhere in the section south of the Arkansas and east of the Sangré de Cristo Range. The remainder of the Colorado area, which was vastly the larger part, was in a state of nature and inhabited by Indians,

with whom a few roving frontiersmen were more or less closely associated, but not disposed to stay long anywhere.

Some of our American pioneers turned their attention to irrigated agriculture in 1859, and produced crops in that season. Short and small ditches were dug in that year at several places at or near our eastern foothills; on the Cache a la Poudre, at La Porte; on Boulder Creek, near Boulder City; on Clear Creek, below Golden City; on Bear Creek, in the vicinity of the site of the present Fort Logan; on Fountain Creek, where Colorado City stands; on the last-named stream, near its mouth, where Fountain City had been laid out; and also on the Greenhorn and Huerfano rivers. In the next year, ditching was considerably extended in these localities, and a substantial beginning of such work was made at and in the neighborhood of Denver and at Cañon City. Titles to some of the water-rights thus acquired in that period still remain valid. Concerning these primitive irrigating waterways, Mr. George G. Anderson, in an address to the Sixteenth National Irrigation Congress (1908), remarked:

“Needless to say, these early ditches . . . were diminutive affairs. They were the outcome of individual efforts; the projector combined the engineer and constructor; they were surveyed by the eyes of unskilled men and built by their individual energy—the capital invested, solely their labor and time. They reclaimed mostly the areas along the creek bottoms, for the cultivation of a limited range of crops—the cereals, grasses and vegetables mostly . . . Many of them were capable of extension, and some of them, that occupied favorable positions on the streams, were ultimately enlarged and extended and are among the great irrigation canals of today.”

Although the further development of irrigation and cultivation in Colorado was continued steadily year by year through the decade of the '60s, it was seriously retarded by the depressed conditions that existed in the Territory during the years of our Civil War; and for a while afterward by the menaces of Indian warfare. However, the net result was a gratifying increase in the number of artificial waterways that had been completed and were serving the purposes of agriculture. According to the Federal Census of 1870, the value of Colorado's agricultural products, practically all of which had been grown under irrigation, was \$2,335,000; and at that time there were more than five hundred separate irrigating ditches in the Territory, appropriating over seven thousand cubic feet of water per second. But of the total of the acreage then under cultivation we have no trustworthy data.

While the construction of these means of irrigation largely had continued to be initiated and consummated by individual enterprise and effort, the principle of coöperation and joint ownership, of the practice of which the Mexican settlers in the valley of the Rio Grande had given early examples, had been applied and put into effect by American citizens of the Territory in a number of instances, and also had been the subject of legislation by the Territory's law-making body. Although the provisions of the enactments had received much thoughtful attention, they were yet to be rendered more efficient and equitable by the results and influence of experience. The ditches owned by individuals and by neighbors in partnership at that time generally were short and of correspondingly small capacity. But some corporations had undertaken and completed more extensive enterprises, among which was the “Platte Ditch,” of some twenty-four miles in length,

fed from the South Platte River, at its emergence from the foot-hills, and which was supplying farms and gardens along its course, as well as the city of Denver, with water for irrigation.

The construction of railroads into the Territory to terminals at Denver, in the summer of 1870, strongly stimulated the expansion of the agricultural industry, and also every other interest that was identified with the further development of Colorado's natural resources. With the advent of rail communications came colonies of settlers formed to establish themselves as communities upon virgin soil of the Territory, and of which some of the history already has been related by Mr. Smiley. Ditches for conveying water to their lands were to be provided by their organizations, acting as corporations, and thus placing the coöperative method upon a basis of greater breadth than that upon which it had rested previously. Before the end of the year 1871 the Union (or Greeley) Colony practically had completed a main ditch about as long as the Platte Ditch, and another which was more than one-third that length. During the first half of the decade of the '70s these colonies had to deal with some discouraging conditions: the cost of constructing their main ditches proved to be heavier than they had anticipated; not all had a full supply of water in each season; and in one year they were grievously afflicted by the ravages of grasshoppers. But, excepting two, the failure of which was due in part to other causes, the communities triumphed over the consequences of these drawbacks and prospered greatly.

In the autumn of 1873, a convention of delegates from western States and Territories that contained arid areas, and which was the first "Irrigation Congress" that ever assembled in the United States, was held in the city of Denver for a general consideration of the subject of watering dry lands, and to discuss ways and means that might be provided for a widely extended application of irrigation by great reservoirs and large canals in the several political divisions in which such accessories to successful cultivation of the soil were necessities. The movement which resulted in this gathering had been initiated in the previous summer by Samuel H. Elbert, then Governor of Colorado Territory, who acted upon a suggestion that had been made to him by William N. Byers, who was then the editor of the *Rocky Mountain News*, at Denver. In response to a proposition for holding such a meeting, and which had been sent forth by Governor Elbert, delegates representing Colorado, Kansas, Nebraska, New Mexico, Utah and Wyoming met in Denver, and organized on October 15, with R. A. Furnas, Governor of Nebraska, as Chairman of the convention.

After the delivery of several able addresses upon the purposes of the movement, chief among which was that of Governor Elbert, and a full discussion of means by which the objects of the congress might be attained, the views and conclusions of the delegates were expressed in a memorial to Congress, asking that one-half of the non-mineral arid public lands be granted to the political divisions of which they were parts, upon condition that the proceeds of sale of such lands should be applied exclusively to the construction of irrigating reservoirs and canals for their reclamation. The Territories were to be authorized to issue reclamation bonds, the proceeds of which were to be used only for the construction of such works, which were to be built, owned, maintained, controlled, and their use regulated, by the States and Territories to which such grants of land should be made; and of the income from sales of reclaimed land there was to be constituted

a fund sufficient to redeem such bonds. Besides formulating and adopting this memorial, the convention appointed an executive committee, which organization was to promote concerted action in behalf of the project by the people of the several States and Territories to which it would apply.

The convention's proposition as to grants of arid public land did not differ in principle from the policy of Congress in granting to railroads the alternate sections in wide belts that were to be traversed by such roads; and in practice the results would have been more equitable, inasmuch as the parts of arid districts that were to be reserved by Congress as public domain would be supplied with the only means of making them productive. In other respects the convention's plans foreshadowed the present Federal Reclamation Service.

In his annual message, to the Forty-third Congress, in its first session, which began on December 1, 1873, President Grant, after having recommended "the passage of an enabling act for the admission of Colorado as a State of the Union," proceeded to say:

"In connection with this I would also recommend the encouragement of a canal for purposes of irrigation from the eastern slope of the Rocky Mountains to the Missouri River. As a rule, I am opposed to further donations of public lands for internal improvements owned and controlled by private corporations, but in this instance I would make an exception. Between the Missouri River and the Rocky Mountains there is an arid belt of public land from 300 to 500 miles in width, perfectly valueless for the occupation of man, for the want of sufficient rain to secure the growth of any product. An irrigating canal would make productive a belt as wide as the supply of water could be made to spread over across this entire country, and would secure a cordon of settlements connecting the present population of the mountain and mining regions with that of the older States. All the land reclaimed would be clear gain. If alternate sections are reclaimed by the Government, I would suggest that the retained sections be thrown open to entry under the homestead laws, or sold to actual settlers for a very low price."

It was understood that this recommendation was incorporated into the message at the instance of Governor Elbert, who had placed in the President's hands a copy of the Denver convention's memorial and also a copy of his address to that body. But neither the recommendation nor the memorial was given any serious attention by Congress; nor was any further concerted public effort made in the West in that decade to consummate any part of the work that had been projected by the Denver convention. Perhaps the outcome might have been different had Elbert not been arbitrarily displaced as Governor of Colorado by the President, early in the next summer, to make way for the restoration of Edward M. McCook to that office.

However, a company was formed and incorporated in Colorado, in 1874, with authority for capital stock to the sum of \$10,000,000, and which proposed to construct such a canal as that which President Grant had recommended to Congress, although it was not to extend so far as the Missouri River. Receiving its water-supply from the South Platte River, at the foothills, the ditch was to be 350 miles in length, fifty feet in width and six feet in depth, with an estimated capacity of 7,960 second-feet of water. This flow was expected to irrigate 9,250,000 acres of public land and between 1,000,000 and 1,500,000 acres of railroad holdings, which would have required a water-duty of about 1,300 acres to the second-foot. It was said in the company's "prospectus" that according to observations of the South Platte River, when at its lowest stage, 3,365 second feet of water were flow-

ing in it at the mouth of its cañon; and that it was a well established fact that in the irrigation season the stream carried from three to four times that quantity. The company was not to interfere with any vested rights, nor would its canal diminish in the least the supply of water for ditches then in use. But the history of this ambitious organization begins with its incorporation and ends with the issue of its "prospectus."

Recorded gaugings of the South Platte, made at Denver, have only once, in the year 1900, when flood-conditions existed in the stream's channel, and which were partly due to a break in a reservoir, indicated a flow that approximated so much as 5,000 second-feet of water.

Various other overestimates of the supply of water in Colorado that was available for irrigation were made in that period. Conspicuous among these was that of a civil engineer who, in an address to the Denver convention, said that 25,000,000 acres of land could be reclaimed in Colorado by a system of irrigating canals," and asserted that "the Kansas Pacific Railway Company has 1,150,000 acres of land that can be covered by a canal taken out of the South Platte River at Platte Cañon." He believed that the river could do even better than that, and afford a surplus for storage in reservoirs. But to provide for possible contingencies in the operation of his canal he proposed to "tap Chicago Lake, the Twin Lakes and numbers of others, which can be made available with very little engineering cost and skill."

In reply to the engineer's statements, J. Max Clark, of Greeley, pointed out that to irrigate only 750,000 acres would require a supply at the source of the canal of 11,362 second-feet, and a canal 200 feet wide and nine and one-half feet deep, with a current of four miles per hour; that the mean discharge of all the streams north of the South Platte—Arkansas Divide did not more than equal the requisite flow; that in no country in the world has any system of irrigation been devised and practiced which has utilized more than two-thirds of the actual water-supply; and that reservoirs can not to any great extent increase the mean capacity of the streams, but may lengthen the period of irrigation.

Prior to the founding of the Union (or Greeley) Colony nearly all irrigation in Colorado was upon bottom lands adjacent to natural water-courses. This was accomplished by damming the streams and then either by flooding the lands from the pools thus formed or by watering them by means of small ditches drawing their supplies from such sources. Among the larger of the irrigating waterways constructed before 1870 was one then known as Ditch No. 10, which took water from the Cache a la Poudre River, on the northward side of that stream, at a point a short distance above the site of the city of Fort Collins. By enlargement and extension in later years this ditch has been converted into the great Larimer & Weld Canal.

During the period between 1870 and 1880 the work of developing irrigation in northern Colorado became very active, and in which the managers of the Greeley Colony were leaders. As I have heretofore mentioned, they had practically completed two long ditches before the close of the year 1871, and which drew their water-supply from the Poudre River. Most of our earlier agriculturists were very skeptical as to the feasibility of attempting to irrigate the mesas, or uplands, which since have been proved to be, when watered, the most fertile soils in our State. But these Greeley ditches were projected to irrigate higher as well as the lower lands of the colony. How-

ever, one of them, known as "Greeley Ditch No. 3," that serves the city of Greeley and lands adjacent to it, waters what is comparatively a small area of upland. The other, known as "Greeley Ditch No. 2," and which is much the larger of the pair, now irrigates between 30,000 and 40,000 acres of both mesa and bottom lands that are as fine for agricultural purposes as any in the world. The extension of potato-raising and increase of alfalfa-growing that followed the completion of these ditches, and later the discovery that the last-named crop was not only a good feed but an excellent fertilizer, greatly stimulated intensive agriculture in northern Colorado.

It is an interesting fact that the managers of the Greeley Colony contemplated the construction of still another main ditch for irrigation, which was to receive its supply of water from the Poudre, at a point several miles beyond the head of their Ditch No. 2. This canal, which was to be their "Ditch No. 1," was to exceed their Ditch No. 2 both in length and capacity, and to serve a wide area of land lying above the reach of that waterway. The colony's main ditches were designated by numbers according to the location of their headgates with respect to the town of Greeley, but which were applied in reverse order. Hence, the first ditch, which is on the southward side of the Poudre, was termed "No. 3"; the next, "No. 2"; and the third, which was planned and surveyed, but never constructed, was to be "No. 1." The area which the latter was to have reclaimed now is watered by the two great irrigation-enterprises of the Larimer & Weld Irrigation Company and the Water Supply & Storage Company, the latter being a reorganization of the old "Larimer County Ditch Company."

Benjamin H. Eaton, one of Colorado's prominent pioneers and builders, who came into the Pike's Peak country ten years before the founding of the Greeley Colony, and was Governor of the State in 1885 and '86, in association with James Duff (a representative of the Colorado Mortgage and Investment Company) formed the organization that constructed Ditch No. 10, to which I have already referred. Late in the '70s the ditch was extended to a distance of about fifty miles from its head, and enlarged to a capacity of 720 cubic feet of water per second of time. This waterway, which, as I have remarked, now is the Larimer & Weld Canal, has brought about 50,000 acres of very fertile land into intensive agricultural development. Eaton also was the leader in the construction of the great ditch owned by the present Water Supply & Storage Company, and which, as to course and purposes, mainly is the same as the Greeley Colony's projected No. 1 was intended to be.

Between the years 1876 and 1880, several large ditches were initiated in the district drained by the Big Thompson affluent of the South Platte River, and among which were the "Louden," the "Handy," and the "Love-land & Greeley." The "Lower Latham Ditch," which receives its supply of water from the South Platte, at a point near the town of Evans, was extended, enlarged and adapted to upland irrigation, about the same time. These ditches, which are members of the group of great works for the purposes of irrigation in northern Colorado, have in a large measure conduced to the remarkable development and prosperity of that portion of the State.

During the decade of the '70s, four main ditches were constructed in the section of the South Platte Valley in which the town of Sterling is situated. The first of these, as well as the larger in that period, was the "South Platte Ditch," dug in 1872, and which traverses the northwestern corner of the

present Washington County. The three others, all located in what is now Logan County, were the "Sterling" (1874), the "Buffalo", which was enlarged in later times and renamed "Pawnee", and the "Schneider". The development of agriculture under this group of ditches comparatively was small until early in the next decade, the principal crops grown in the meantime consisting of hay and some small grain. After the construction of the Union Pacific Railroad Company's "Cut-off" division between Julesburg and La Salle, in 1881-82, agriculture under these ditches was very much increased.

The Larimer & Weld Canal was completed about the beginning of that decade, and has become a property of great value. Eighty-acre water-rights from it, that formerly sold at prices ranging between \$600 and \$1,200, are worth \$4,000 each at the present time.

Work on the Larimer County Ditch was commenced in 1881 by F. C. Avery, N. C. Alford, Noah Bristol and other citizens of Fort Collins. While this canal now is one of the highly successful of Colorado's main ditches, its development was somewhat slow because of the lateness of its construction, which was retarded by earlier priorities, that required its builders to supplement the direct flow of the Poudre River by means of storage reservoirs: and therefore it was not until after the year 1890 that the capabilities of the system were realized. This great canal and its reservoirs, now further re-enforced by water conducted over the range, from the Laramie River, is at the present time supplying irrigation for upward of 50,000 acres of fine land. A large lateral ditch, recently added to the system, has extended the irrigated area as far north as Pierce Station, on the division of the Union Pacific Railroad between Denver and Cheyenne.

Under our modern systems of irrigation there has been a great increase in the value of farms served by them. For example, lands that were parts of the land-grant of the old Denver Pacific Railroad Company, and which were bought some thirty years ago at prices varying from \$7 to \$15 per acre, with water-rights in what now is the canal of the Water Supply & Storage Company, readily would sell at this time for more than \$100 per acre. A single share of stock in that company now is worth upward of \$4,000; and therefore the total value of its 600 shares exceeds \$2,400,000.

Another of the large irrigating systems in northern Colorado is that of the North Poudre Irrigation Company, which had its inception in 1880-81, and of which F. L. Carter Cotton was the principal promoter. But it was not until more than twenty years had elapsed that this great work, which includes several reservoirs, and irrigates lands lying higher than the Larimer County Ditch, attained a stage in which its success became assured. As the north fork of the Cache a la Poudre is the source of the system's water-supply, the company was compelled to bore a series of difficult and expensive tunnels, in order to keep the flow of water at the required elevation. The experience of the North Poudre Company, as well as that of other belated organizations whose water-rights largely are subordinate to prior claims, has emphasized the necessity of reservoirs in such cases to impound water during times of plenty and hold it to supplement the reduced direct supply in the dry seasons of the year.

Still another important ditch leading from the Cache a la Poudre, and which had its greater development in the decade of the '80s, is known as the "Pleasant Valley & Lake Canal", irrigating the fine body of land lying

in Pleasant Valley. During that decade, the Louden, the Handy and the Loveland & Greeley ditches, which were begun late in the '70s, were enabled to bring under cultivation extensive tracts of excellent soil. The last-named of these, which crosses the divide between the Big Thompson River and the Poudre, made fertile and useful a large portion of the land lying between the flourishing cities of Loveland and Greeley.

The Big Thompson River also supplies water for the Big Thompson Ditch, initiated in 1878; for the Home Supply Ditch, commenced in 1881; and for the Home Supply Reservoir, a later work, which, with the Home Supply Ditch, now form the system of the Consolidated Home Supply Ditch & Reservoir Company, that affords the means of irrigating about 40,000 acres of highly productive land. It is worthy of mention that one of the rules of this company provides that any of its shareholders may draw his allotment of the water impounded in the reservoir after the manner in which he would draw money from a checking account in a bank. That is to say, if his share of the water is, for example, one million cubic feet, he may call for it and have it measured out to him, at his pleasure, until his portion, or "deposit", be exhausted. This company, by its careful methods in dealing out the comparatively small contents of its reservoirs, has demonstrated the extent to which effective consequences in irrigation may be increased by distributing water exactly at the proper time and with studied economy. Its service also has further proved the great advantages possessed by reservoirs, from which lands may be most opportunely watered and in volume best suited to the accomplishment of desired results.

Several large ditches, taking water from the St. Vrain tributary of the South Platte, were constructed during the decade of the '80s, and which have been followed by an intensive cultivation of broad tracts of rich soil in the vicinity of Longmont.

In the part of the valley of Clear Creek that lies between the town of Golden and the South Platte River are some of the older and the more successful ditches in the State, and which have converted that locality into a garden of great beauty and productivity. Among the larger of the ditches that take water from that stream are the "Rocky Mountain", the "Golden" and the "Church".

Between the years 1870 and 1880, there was a considerable extension of irrigation in the valley of the South Platte, from Denver down (northwardly) to La Salle, which section now constitutes nearly the whole of Water District No. 2. Some of the early ditches in this part of the valley, that had been watering only lowlands, now were made to irrigate higher ground as well; and both high and low at present are affording striking examples of what may be done in our State in closely-worked agriculture.

Other ditches in the northern part of the State that are worthy of mention are the Fulton, the Brantner, the Farmers' Independent, and the Platte Valley Canal; the latter being an enlargement and extension of the old "Evans Canal, No. 2". In the vicinity of Fort Morgan are the Upper Platte & Beaver Canal, the Lower Platte & Beaver, the Ft. Morgan and the Weldon Valley canals, all of which were constructed during the decade of the '80s, and to which the present prosperity of the people of Morgan County very largely is due.

Between the years 1890 and 1900, the valley of the Cache a la Poudre was the scene of great activity in the construction of reservoirs. The highly

profitable results of potato-culture in the valley had been fully demonstrated before that period, but as the vegetable requires most of its irrigation to be applied late in July, throughout August, and sometimes in the fore part of September, when the river's flow is not only at a low stage, but is subject to preceding water-rights in the order of their priority, it was found necessary to impound water in reservoirs in times of high tide in order to secure a supply sufficient to the requirements of an extensive cultivation of the potato.

The first facilities projected for the especial purpose of providing for these needs were two large reservoirs, the "Terry Lake" and the "Windsor", in connection with the Larimer & Weld Canal, and both having their inception in the summer of 1890. The former, with a capacity of about 300,000,000 cubic feet, was completed in time for service in the season of 1891; but the Windsor, which impounds 600,000,000 cubic feet of water, was not made ready for use until 1896. It is said that these reservoirs have been of immense value to the agricultural interests dependent on the Larimer & Weld Canal, and that it is beyond doubt that without them the present great production of root crops along that waterway, and which are divided between sugar-beets and potatoes, could not have been realized or made possible.

The Cache a la Poudre Reservoir, an appendage of the Greeley Ditch No. 2, situated near the town of Timnath, and impounding some 3,500,000 cubic feet of water, was built in 1892, and began its career of usefulness in the next year. The construction of other reservoirs in the valley of the Poudre followed in close order during that decade; and among these were those of the Water Supply & Storage Company, and of the "Long Pond", the "Rock Ridge" and "Lindenmeier" organizations. The work also was extended in that period into the Big Thompson Valley, where the "Lake Loveland Reservoir", with a capacity of 600,000,000 cubic feet, was constructed to supplement the water-supply of the Loveland & Greeley Canal. It is probable that the service rendered by this reservoir has doubled the value of the agricultural land that is dependent on the Loveland & Greeley System for its irrigation.

While many large facilities for reclaiming arid lands were constructed in Colorado, especially in the northeastern fourth of the State, in the last two decades of the nineteenth century, the work has been continued at a rapid rate and upon a great scale since the advent of the twentieth, but in which the further development of the reservoir system has predominated.

This has been due largely to the operation of a statute, commonly known as the "District-Irrigation Law", that was enacted in 1901, by our Thirteenth General Assembly, and which was based upon the "Wright Law", of California. It authorizes land-owners to form organizations to establish irrigation-districts and jointly to construct reservoir and ditches for watering their holdings. For the fulfillment of such purposes they may issue bonds, which are made a lien upon the land to be irrigated, and for the redemption of which, as well as for the interest thereon, a tax is levied and collected by public authority. The law further provides that all irrigable land within the district shall, for the purposes for which the district was organized, be valued for such taxation by the assessor at the same rate per acre; but it specifically exempts any land within the district that can

not successfully be irrigated and therefore must remain incapable of cultivation.

This enactment enables land-owners to provide reservoir-and-ditch systems, perfectly planned and unified, with capacity sufficient adequately to water the tillable soil of the district, by an outlay of money much less in proportion to the acreage so served than would be required under a division of their energies and resources and the application of these to the construction of small and independent plants; and the expense of operation and maintenance of district systems also is much less relatively than by any other means of obtaining irrigation. Moreover, the cost and maintenance of the district system falls equitably upon all who participate in its benefits, and results in a more orderly distribution and a more economical use of water, thereby facilitating the production of larger and better crops and encouraging the farther extension of our areas of cultivated land.

If wisely administered, this and our other laws on the subject of irrigation will continue to conduce greatly to the expansion of agriculture in our State. There is especial need for closely safe-guarding the issue of evidences of indebtedness by organizations formed under these statutes, as a tendency to extravagant financing recently has been developed in connection with a few irrigation enterprises. In years past there was much litigation in Colorado over disputed priorities of rights to the means of irrigation; but titles to such rights have been so thoroughly cleared up by decisions of our Supreme Court that the holder of irrigation bonds may, as a rule, and so far as the question of water-titles applies, rely upon these securities as fully as he can upon titles to land.

As I have already remarked, there has been great activity in the northern quarter of Colorado in providing new facilities for irrigation and in enlarging the capacity of previous constructions since the advent of the twentieth century. To mention all of these additions to the means of reclaiming arid land would lead me into details that might be tedious to the reader, and therefore I shall refer only to the more important.

Among the earlier of these new works was the "Fossil Creek Reservoir", near Windsor, built by the North Poudre Irrigation Company, and from which the water-supply of various ditches in that part of Weld County is augmented. The same corporation also has increased greatly the size of most of the reservoirs connected with the North Poudre Canal. The "Poudre Valley Ditch", which leaves the Poudre River at a point a short distance below the cañon of that stream, is a long and broad new waterway; and when the plans of its builders shall have been consummated it will fill a reservoir, to which the name "Cobb Lake" has been given, capable of storing more than one billion cubic feet of water. By the construction of the "Union Reservoir", in the valley of the St. Vrain River, the service of the Union Ditch, which formerly obtained all its water from the South Platte, at a place near Plattville, has been largely extended. Farther down the valley of the South Platte there are several new and capacious reservoirs. The "Riverside", situated not far from the eastern boundary of Weld County, impounds upward of 1,500,000,000 cubic feet of water, with which a large area in its vicinity is irrigated. A few miles east of the Riverside, in Morgan County, and near the town of Orchard, lies the "Jackson Lake Reservoir", of capacity equal to that of the former, and which mainly serves to supplement the original water-supply of the Ft. Morgan, Platte and Beaver

ditches. A neighbor to this pair, the "Empire Reservoir", on the southward side of the South Platte, and through which runs the western boundary of Morgan County, amplifies the flow in the large Bijou Ditch. The "Jumbo Reservoir" has rendered fertile a wide area of land in the vicinity of Julesburg; and another of great capacity, to water an extensive tract in the neighborhood of the town of Sterling, now is under construction.

Among the irrigation projects at the present time in progress in the northern part of the State are the "Henrylyn" and the Greeley-Poudre systems. It has been estimated that the former, which will furnish water for 125,000 acres, will cost about four millions of dollars; and that the outlay on the latter, which will water a still larger acreage, will amount nearly to five millions. To these may be added the great work of the promoters of the "Boyd Lake Reservoir", with capacity for 1,800,000,000 cubic feet of water, which is to be supplied from the Big Thompson River. Although the possibilities of this big undertaking remain to be fully demonstrated, doubtless the reservoir will render great service to agriculture in the section in which it is located. Moving farther southward, into the vicinity of Denver, we find the Denver Reservoir & Irrigation Company engaged in constructing the embankments of the wide and deep "Standley Lake", between Boulder and the capital city, and of which the cost will exceed five millions of dollars. The same corporation is enlarging the Marshall Reservoir, near by, and building smaller ones elsewhere in the field of its operations. Its system, which is to include main canals and numerous laterals, will reclaim many thousands of acres in this old and rich agricultural section of the State.

At Denver's eastern border we come into view of the "Antero Reservoir", another great work, now practically completed, for extending our area of cultivated soil. This system was projected more than twenty years ago, the original filings for it having been made in February, 1889. The plans of its promoters were, for that time, exceptionally ambitious, as they contemplated a reservoir that should be large enough to contain more than three billion cubic feet of water; or 86,000 acre-feet. The Antero & Lost Park Reservoir Company, which is the present owner of the property, has completed the reservoir to a capacity of about 60,000 acre-feet, the water-supply for which is taken from a tributary of the South Platte, above the city of Denver, in a locality near the foot-hills. It is proposed to utilize this reservoir for re-enforcing old water-rights under the Highline Canal, that skirts the far-eastern suburbs of Denver; and also for irrigating virgin lands lying in the general vicinity of the improvement, and which rank with the best in Colorado. The "East Denver Municipal Irrigation District" has been formed for the purpose of acquiring both the canal and the reservoir, and therewith to give effect to these intentions. The Highline Canal, which is supplied with water from the South Platte River, at Platte Cañon, is rather an old institution. Its construction was begun in the year 1880, by an English corporation; and originally the ditch was called the "Northern Colorado Irrigation Canal".

In the old agricultural districts in the basin of the South Platte, and which lay on or very near the streams that furnished them with water, seepage from irrigation early began to produce marshy or swampy conditions in places below the localities of cultivation, and also to give life to small water-courses that previously had been dry during the greater part of the year.

In later times a much larger measure of the same results has followed the application of irrigation to uplands. A portion of this seepage, or "return water," as it is more generally called, now is collected and utilized by the agency of ditches constructed especially for that purpose, but at length nearly all of it finds its way into the channel of the South Platte, and largely increases the flow in that river from late in the autumn until past the middle of spring, thus adding to the water-supply available in the intervening months for storage in reservoirs along the lower reaches of the stream. It is asserted that in consequence of this seepage the South Platte carries a larger volume of water past the mouth of the Cache a la Poudre between the 1st of November and the 1st of May than it does throughout the entire season of irrigation, when it is fed by the melting of snow in the mountains. Therefore the claim is made by engineers and farmers that for reservoir purposes the resources of the South Platte in the lower section of its valley in Colorado are unequalled elsewhere in the State.

Passing on into the drainage basin of the Arkansas River, we shall find in that section of our Commonwealth a development of the means of changing barren soil into fertile fields second only to that which has come to pass in the northeastern quarter of the State; and that much of this has been accomplished within recent years.

While certain places in our part of the Arkansas Valley were the scenes of small farming long before Colorado came into existence, and also of like work by some of our pioneer American participants in the permanent settlement of the Pike's Peak country, the industry had no great expansion in that valley until after 1870. Prior to that year, the construction of irrigation works and cultivation of the soil along the Arkansas were confined almost exclusively to bottom-lands, while the ditches comparatively were of small capacity and, with a few exceptions, of rather primitive types. As the reader of this volume has seen, the earlier of such work in that valley by our American pioneers was at and in the vicinities of Pueblo, Colorado City and Cañon City. The first ditch in the lower section of our part of the valley was one made at the beginning of the Civil War for watering vegetable gardens at the United States military post, Fort Lyon (formerly Bent's Fort—a trading-post), that stood upon the north bank of the Arkansas, eight miles above the site of our town of Lamar. The first of the larger works in the valley was the "Excelsior Canal," built early in the '60s, to irrigate between three and four thousand acres of bottom-land near Nyburg, in Pueblo County, and ten miles east of the city of Pueblo. This was followed immediately by the construction of the "Arkansas Valley Ditch," which covered about the same extent of soil, near the village of Boone, in Pueblo County, and twenty miles east of the city of Pueblo. The priorities of these ditches were absorbed by canals built in later times.

The beginning of what may be considered as the modern development of irrigation systems in the Arkansas Valley was made early in the '70s, when, under the leadership of George W. Swink, the "Rocky Ford Canal" was projected and constructed. This ditch, which was the first large canal in that valley, waters about six thousand acres of land in the vicinity of the town of Rocky Ford. Soon afterward, A. R. Black undertook and completed a part of the present Lamar Canal, which originally irrigated

about two thousand acres near Lamar, but now waters some ten thousand acres in that locality. These were the more important of the works constructed in the valley during the '70s.

The years of the next decade were times of great activity in the reclamation of land lying along the Arkansas, in Colorado, and in which most of the present large canals in the valley were built. The greatest of these, and which has been known by various names, but now is called the "Fort Lyons Canal," is 113 miles in length, and waters about one hundred thousand acres, in the section implied by its name. Soon afterward, the Catlin Canal was built to irrigate 12,000 acres in the neighborhood of Rocky Ford, and which lie higher than the land served by the Rocky Ford Canal. The Amity Canal, which now covers 50,000 acres near the town of Holly, was planned and started in 1887, but was not completed until several years had elapsed. Among other reclamation constructions in the valley in that decade were the Colorado & Kansas Canal, furnishing water for nearly six thousand acres in the locality of Lamar; the Oxford Farmers' Canal, watering a like acreage at the village of Fowler, in Otero County; the Bessemer Canal, irrigating some twenty-five thousand acres lying just east of Pueblo; the Lake, or Holbrook, Canal, covering 20,000 acres, situated north of La Junta; and the Highline and Otero canals, each of which supplies water to about twenty thousand acres in the Rocky Ford district.

While the work of reclamation in the Arkansas Valley in the last decade of the nineteenth century included the construction, early in that period, of the "Colorado," or "Bob Creek Canal," now the Twin Lakes Water & Land Company's Canal, taking water from Bob Creek (a left-hand affluent of the Arkansas, in Otero County), and covering about forty thousand acres around Ordway and Sugar City, the further development of irrigation in the valley during those years mainly was in the direction of providing lesser facilities, for use in connection with the large ditches that already had been built; and at the same time the attention of the valley's agricultural interests also was turned to the great utility of reservoirs for strengthening their water-resources. The earliest and largest reservoir system in the valley, and which is known as the "Great Plains Storage System," having a capacity of nearly two hundred thousand acre-feet—that is, to cover such an area with water to the depth of one foot—was constructed in the latter part of that decade by W. M. Wiley, and irrigates lands at and in the vicinity of the town of Holly, in Prowers County. In building this work, Mr. Wiley laid the foundation of much of the prosperity that exists in that county at the present time.

The introduction of sugar-beet culture into the Arkansas Valley in 1900, with coincident erection of sugar-factories in the field of production, and which has expanded so rapidly during the years that have followed, and also the enactment of the district irrigation law by our Legislature in 1901, greatly stimulated still further development of irrigation systems and consequent agriculture in that section of the State, beside increasing the value of arable lands in corresponding degree. As sugar-beets need a good supply of water in the last half of the summer season, when the natural streams are running low, the new industry required the construction of more reservoirs, of which a number have been provided, mostly of moderate size. Among the larger of these is the Horse Creek Reservoir, completed in 1908, with capacity for 25,000 acre-feet, and serving the

Fort Lyons Canal. The "Adobe Creek Reservoir," now nearly finished, will be capable of impounding 65,000 acre-feet of water. Several irrigation districts, formed under the provisions of the law of 1901, have produced excellent results; and several more are in the formative stage, two of which are intended to reclaim a total of nearly one hundred thousand acres.

There has been a considerable development of facilities for reclaiming arid lands in Las Animas County, which, as the reader may recall, was the scene of John Hatcher's reputed venture in irrigated agriculture in the year 1846. But as no part of what has been done in that county is upon an extensive scale, much remains yet to be worked out. An organization termed the "Valley Irrigation Company" now proposes to construct a system for watering large tracts of land lying in Las Animas and that lap over into Bent County.

Crossing the Sangre de Cristo Range into the San Luis Valley, which is drained by the upper Rio Grande and its tributaries, we enter another field of activity in the work of giving new life to soil that had been dry and unproductive. Although cultivation of land, under irrigation, was begun in that valley in years before the Territory of Colorado was created, the old and "home-made" type of equipment for watering the fields was continued in general use there until about the time in which the Territory became a State; and the tracts that meanwhile had been made fruitful aggregated but a small portion of the valley's irrigable area.

Some ditches of fair capacity and which were located by trained men were projected and completed in the valley during the last half of the '70s. But it was not until about the year 1881 that the first large system for irrigation, planned upon modern lines, was commenced in that section of our State. This was the undertaking of Isaac Gothelph, Leopold Mayer, George Nichol, Adair Wilson and others, who at that time began the construction of a great main-ditch, called the "Del Norte Canal," on the northward side of the Rio Grande, and heading near the town of Del Norte, the county seat of Rio Grande County. After some practical progress had been made upon the ditch it passed into the hands of a corporation styled the "Del Norte Land & Canal Company," which completed it through to Saguache Creek. At the present time, the Del Norte System, which is owned by the Rio Grande Land & Canal Company, consists of nearly three hundred miles of main-ditch and laterals, and it is probable that it waters as large an acreage as any other like system in the State. The canal is ninety feet wide at the water surface, and sixty at the bottom, with a flow that runs at the rate of about 1,400 cubic feet per second of time. About a year after the beginning of digging on the Del Norte Canal, Frederick Larick and several other American settlers in the valley organized the "Citizens' Ditch Company," which, after its control had been transferred to other interests, built fifteen miles of canal. Subsequently, the property and rights of the Citizens' Company were acquired by a new corporation, the "Monte Vista Canal Company," which extended the main channel, now known as the "Monte Vista Canal," through to Alamosa Creek. Among several other ditch-systems that were built in the valley before the year 1890, and that continue in successful operation, the "Empire" and the "San Luis Valley," which for the most part were the work of a

promoter, are prominent in that field. But these now are the property of the landowners whose holdings are watered by them.

The utility of very capacious facilities for storing water did not receive much attention in the San Luis Valley until recent times. However, such provisions for assuring the most successful agriculture now are being provided. A large reservoir, situated near Fort Garland, and which will reclaim land in the neighborhood of the new town of Blanca, has been completed; and others elsewhere in the valley are in progress. The San Luis Valley Irrigation-District, formed by the landowners who constructed the Farmers' Union Canal, is building the "Rio Grande Reservoir," on the headwaters of the Rio Grande, and which will have a capacity of over 40,000 acre-feet. The Rio Grande Reservoir Company is at work upon the "Santa Maria Reservoir," designed to hold 45,000 acre-feet of water, for use in connection with the Rio Grande Canal. The Costilla States Development Company and the Costilla Irrigation & Power Company are jointly engaged in constructing a great irrigation system, including large reservoirs, on the Costilla Land Grant; and also are building a railroad from Blanca into the lands that are to be reclaimed by them, lying at a distance of about twenty-five miles from that town.

The Western Slope is the "new" part of our State, although it was included in the Colorado domain from the start. But throughout our Territorial times and for several years after the termination of that period a great part of it was the reservation of the Ute Indians, and therefore Anglo-Saxon enterprise then was excluded from it. The drainage basin of the Grand River, which extends over nearly one-half of the Slope, was opened to settlement in the beginning of the decade of the '80s, and before the close of the year 1882 several small ditches for irrigation had been completed by groups of pioneer farmers.

About that time, Matt. Arch, Joseph Selig and William R. Eckerly began the construction of a large main-ditch in the Uncompahgre Valley, and to which they gave the name "Uncompahgre Canal". Soon afterward, the undertaking passed into the hands of other interests, which finished a considerable part of it in the year 1884. But, in turn, they parted with control of the canal, which then fell to the Travellers' Insurance Company, of Hartford, Connecticut, which finished the system and held the title to it until the summer of 1908, when the property was conveyed to the Federal Government, to become a part of the Gunnison Tunnel Irrigation Project. But in the meantime many ditches of moderate size had been constructed in that valley by resident agriculturists and horticulturists.

The Gunnison Tunnel Project, now practically completed, while it will not water so large an acreage as will some of the other works of the Federal Reclamation Service, probably is the most novel and striking improvement for the purpose of irrigation yet undertaken under the Federal Reclamation Act. By a tunnel more than thirty thousand feet in length, through the Squaw, or Grassy, Range, on the left-hand, or westward, side of the Gunnison River, a rock-bound stream, water is diverted from that river into the Uncompahgre Valley, in which there is more arable land than could be irrigated by the water-supply afforded by the Uncompahgre River.

The originator of this project was F. C. Lauzon, a citizen of the Uncompahgre Valley in the middle '90s, and who, in the summer of 1894,

was instrumental in raising a small fund for defraying the expense of making a preliminary survey of the field, which proved the feasibility of his proposition from the standpoint of the engineer. But nothing further was done toward a more thorough consideration of the subject until the year 1901, when, in consequence of increased interest in the matter, a bill to appropriate \$25,000 to be used for determining the best location for the tunnel and for initiating the work of boring it, was introduced into the House of Colorado's Thirteenth General Assembly, by Meade Hammond, the Representative from Montrose and Delta Counties. After overcoming many objections and many more doubts, Representative Hammond succeeded in procuring the enactment of his bill by that Assembly. Under the provisions of this act, the route of a tunnel was located several miles below that of the one afterward adopted by the Reclamation Service, and work upon it was started. But after some fifteen hundred feet of the bore had been completed the funds reached their limit and construction ceased, leaving a conviction that the undertaking was one that should be consummated by the Federal Government. In the meantime, Congress had taken under consideration the measure providing for establishing the Federal Reclamation Service, and which became a law on June 17, 1902. The Gunnison proposition was examined by the new Federal organization about two years later, and as the results of this were favorable, operations in drilling the long hole were begun, on each side of the range, in the spring of 1905. The two crews of workmen met on July 6, 1909; and on the 22d of September the tunnel was formally opened by President Taft, who was then on a tour to the Pacific Coast.

It is estimated that the tunnel, which will be ready for regular service in the season of 1910, and has a capacity of 1,200 second feet, will add to the watered area in the Uncompahgre Valley about 80,000 acres, beside affording a supply of water adequate to the needs of considerable tracts that heretofore have been more or less insufficiently irrigated. The total cost of this great work, including that of the new canal with which the tunnel connects at the Uncompahgre end, will be, in round figures, \$3,000,000. The farmers of the Uncompahgre Valley have incorporated the "Uncompahgre Water Users' Association", with intention to have the organization acquire all ditch and water interests in the valley and to control and operate them as one system.

The early farmer-settlers in the Grand River Valley constructed what they called the "Pioneer" and "Independent" ditches, the water-supply for which was drawn from the Grand River. Some years after their completion, these ditches were taken over by a corporation styled the "Grand River Canal Company", which, with the old waterways as a basis, built the extensive Grand Valley Canal System. Shortly after it was finished, this system passed into the control of the Travellers' Insurance Company, but which ultimately relinquished it to the farmers whose lands it irrigated, and by whom it is owned and managed at the present time. Four Irrigation Districts recently were formed in this valley to reclaim about fifty thousand acres of good land; and work upon the required ditches now is in progress.

The Federal Reclamation Service has planned and will construct the "Grand Valley Highline Canal", water for which will be received from the Grand River. This project is designed to irrigate some sixty thousand

acres of soil that will be excellent when watered, and that are peculiarly adapted to the production of apples, peaches and cherries. The canal's supply of water will be abundant, and its favorable location promises that the expense of maintaining it will be unusually low.

The part of the Montezuma Valley that lies in Montezuma County, in the southwestern corner of Colorado, also is a scene of noteworthy progress in providing facilities for irrigation, among which is one of the larger of our systems of ditches and reservoirs, and that includes a tunnel more than a mile in length through the divide between the Montezuma and Dolores basins.

In years in the long past, the Montezuma Valley was occupied by communities of Cliff Dwellers who appear to have cultivated extensive tracts of irrigated land. Traces of winding ditches of fair capacity and considerable length still may be seen on the western base of Ute Mountain and in various other parts of the valley, together with depressions here and there, but not of large size, that bear evidence that these were made and used for the purposes of reservoirs.

Modern irrigation in this valley dates from about the year 1884; and also at that time there was undertaken the construction of an irrigation system, water for which, drawn from the upper reaches of the Dolores River, was to be conveyed across the divide lying between it and the Montezuma district. But after considerable work had been done on it, this project was abandoned. A similar proposition, which forecasted the system referred to in the second paragraph above, but which was to divert water from the Dolores at a lower point and run it into the Montezuma Valley by means of a tunnel, was undertaken by Colorado men, who organized a corporation to construct the work, a bold venture for that period. But in consequence of a series of backsets the company passed into the hands of a receiver in 1887. In the next year, a new and rival company was incorporated to build an independent system for irrigating land in the Montezuma Valley, and also with an intention to absorb the former corporation's project. This eventuated, about the year 1890, in the consolidation of the two into the "Colorado Consolidated Land & Water Company." However, this organization, after having constructed a part of its system as contemplated, was compelled by reverses to suspend operations. The failure was said to have been due to the attitude of speculators, who in the meantime had acquired much of the valley's land, and had held it in its natural condition while awaiting buyers at their speculative valuations, thus depriving the company of any income from their holdings. The corporation's property and affairs subsequently were taken over by the holders of its bonds, and for some years were managed in the interest of the latter, during which term irrigation was supplied to 10,000 acres of a tract embracing 60,000.

Shortly after the enactment of our district-irrigation law, the "Montezuma Valley Irrigation District", the first organized under that legislation, was formed by citizens of the valley. The landowners of this district later authorized the issue of bonds to the sum of about \$900,000, for the purpose of purchasing the property of the old Consolidated Company and to provide funds for completing its system of ditches and reservoirs. The district covers an area of 55,000 acres of fine land.

Reclamation, upon a large scale, of lands in the valley of the Dolores

River, in which notable advances have been made in agriculture irrigated by ordinary ditches, mostly of the earlier type, now is receiving much attention from the people of that valley, and several extensive water-carrying systems are expected soon to be put under construction. Similar conditions and prospects also exist in the part of the valley of the Los Animas River that lies in La Plata County, in which the city of Durango, the metropolis of southwestern Colorado, is situated.

The wide expanse of territory that constitutes our Rio Blanco and Routt counties, in the far-northwestern section of the State, and which includes hundreds of thousands of acres of land that can be made highly productive by irrigation, had remained in its primitive condition, almost in its entirety, until within the last few years. This was due chiefly to the lack of railway communications, which now are provided in part, with good prospects for their early extension on through Routt County into Utah and to Salt Lake City. Since the completion of the Denver, Northwestern & Pacific Railroad from Denver into the eastern part of Routt County, a vigorous beginning of the work of providing large facilities for irrigation in that county, as well as in Rio Blanco, has been made. The Routt County Development Company is engaged upon a canal and reservoir system, taking water from the Little Snake River, that will reclaim about 40,000 acres. Personal interests are constructing a similar system to irrigate 150,000 acres near the town of Craig. The Elk River Irrigation & Construction Company, incorporated recently, proposes to redeem a like area by using the waters of Elk River. Another organization has been formed to reclaim 60,000 acres in the vicinities of the towns of Hayden and Craig. Moreover, there are five or six projects almost ready to be launched, and which doubtless shall soon become physical additions to the development of the means of irrigation in Routt County. Among the many enterprises planned for the reclamation of land in Rio Blanco County, there are several that are assured, as all preparations for them have been completed. The "Rio Blanco Canal" will involve the outlay of \$3,000,000; a group of reservoirs, with a combined capacity of nearly eight billion cubic feet of water, to be taken from the White River, are to be constructed at the Pass Butte, and will cost \$1,000,000; and arrangements have been made for building the "Trappers' Lake" and "Marvin Lake" reservoirs.

Colorado legislation on the subject of irrigation differs in several respects very materially from that of others of our political divisions that contain arid lands. Indeed, it may be said that an independent system of irrigation laws and customs has been developed in this State. The first Legislative Assembly of "Jefferson Territory", an organization that, as the reader has been told on other pages of this volume, had no actual legal standing, made some provisions for regulating irrigation in 1859. But our first valid legislation on the subject was by the First Legislative Assembly of the lawfully constituted Territory of Colorado, late in 1861. This was amended and amplified in the Revised Statutes of 1868. The work of further perfecting our irrigation legislation has been prosecuted at occasional intervals since that time, and in which the framers of our State Constitution took a part.

An enactment by the Second General Assembly of the State made provisions for regulating the use of water for irrigation from natural streams, and for settling the priority of rights thereto; and which was

amended by the Third General Assembly. Under this legislation, the courts of Colorado have adjudicated and determined priorities of right to such use of water, basing their decisions upon the constitutional provision "that priority of appropriation shall give the better right as between those using the water from natural streams for the same purpose". The common law doctrine as to riparian rights, which accords to the owner of land the right to the flow of water in its natural channel upon and over his holdings, whether he makes any beneficial use thereof or not, has been held to be inapplicable in Colorado from our early Territorial times; and therefore the doctrine of riparian rights has been abrogated in our State.

For the purpose of regulating the distribution of water for irrigation, our General Assembly has provided by law for the appointment of State officers whose duty it is to enforce the rights of priority, as these have been decreed. Under this legislation, Colorado has been divided into five "Irrigation Divisions", over all of which the State Engineer is in authority. For each of these divisions there is a subordinate officer known as the "Irrigation Division Engineer", who is responsible to the State Engineer. Further, in turn, each division is subdivided into "Water Districts", each of which is in the charge of an officer who is called the "District Water Commissioner".

At this time there are seventy water-districts in the State, and the oldest water-rights in some of these, as determined by the operation of our laws and decrees of court, have come down from the early years of Colorado's history, when, according to a present popular belief, all our pioneers are thought to have been devoting their entire attention and energy to a search for virgin gold. In the following paragraphs the serial numbers of these water-districts, excepting a few, are given, together with designations as to the location of the lands them embrace, the name of the oldest ditch that still is in use in each that is mentioned, and the year in which the water-right thereto originated and the ditch was constructed:

District No. 1, consisting of lands irrigated from the South Platte River, between the mouth of the Cache a la Poudre River and the west boundary line of Washington County; the Oakes Ditch No. 1; 1866.

District No. 2; lands irrigated from ditches taking water from the South Platte River, between the mouth of the Cache a la Poudre and the mouth of Cherry Creek (in Denver); the Brantner Ditch; 1860.

District No. 3; lands irrigated from the Cache a la Poudre and its tributaries; the Yeager Ditch; 1860.

District No. 4; lands irrigated from the Big Thompson River; the Osborn & Caywood Ditch; 1861.

District No. 5; lands irrigated from the St. Vrain River; the Hayseed Ditch; 1860.

District No. 6; lands irrigated from Boulder Creek; the Lower Boulder Ditch; 1859.

District No. 7; lands irrigated from the Clear Creek drainage; the Wadsworth Ditch; 1860.

District No. 8; lands irrigated from Cherry Creek, Plum Creek and the South Platte River, excepting the Bear Creek drainage; the Platte Water Company's Ditch; 1860.

District No. 9; lands irrigated from Bear Creek; the McBroom Ditch; 1859.

District No. 10; lands irrigated from the Fontaine qui Bouille, in the vicinity of Colorado Springs; the Flanagan Ditch; 1860.

District No. 11; lands irrigated from that part of the Arkansas River above District No. 12; the Trout Creek Ditch; 1864.

District No. 12; lands in the neighborhood of Canon City and above from the Arkansas and its tributaries in that vicinity; the Hardscrabble Ditch; 1860.

District No. 13; lands irrigated from Texas Creek and part of Grape Creek, in Custer County; the South Canon Ditch; 1866.

District No. 14; lands irrigated from the part of the Arkansas River that traverses Pueblo County and from certain of its tributaries therein; the Toof Ditch; 1860.

District No. 15; lands irrigated from the Greenhorn tributary of the St. Charles River; the Hicklin "A" Ditch; 1859.

District No. 16; lands irrigated from the Huerfano River; the Doyle Ditch; 1859.

District No. 17; lands irrigated from the Arkansas River, in the vicinity of Rocky Ford; the Rocky Ford Ditch; 1874.

District No. 18; lands irrigated from Apishapa Creek; the La Veta Ditch; 1867.

District No. 19; lands irrigated from the Las Animas River; the Baca Ditch; 1861.

District No. 20; lands irrigated from the Rio Grande, above the mouth of the Rio Conejos; the Sylva Ditch; 1866.

District No. 21; lands irrigated from Alamosa and La Jara creeks; El Veigo Ditch; 1867.

District No. 22; lands irrigated from the Conejos River; the Guadalupe Ditch; 1855.

District No. 23; lands irrigated from the South Platte River, in Park County, and from certain tributaries of the Arkansas, above Water District No. 8; the Beery Ditch; 1861.

District No. 24; lands watered from the Rio Grande, between the mouth of the Rio Conejos and the southern boundary of the State; the San Luis Ditch; 1852. The water-rights for this ditch are the oldest that now are in force in Colorado. The rights for the Guadalupe Ditch, mentioned above, stand next in priority.

District No. 25; lands irrigated from San Luis Creek; the Wells Ditch; 1866.

District No. 26; lands irrigated from Saguache Creek; the Malone-Sullivan Ditch; 1866.

District No. 27; lands irrigated from Carnero Creek; La Loma Ditch; 1870.

District No. 28; lands irrigated from Tomichi Creek; the Biebel Ditch; about 1876.

District No. 29; lands watered from the San Juan River, near Durango; the Peterson Ditch; about 1879.

District No. 30; lands irrigated from Hermosa Creek; the Thomas Ditch; 1874.

District No. 34; lands watered from the Rio Mancos; the Menefee Ditch; 1874.

District No. 35; lands watered from the Trinchera; the Etter Ditch; 1860.

District No. 37; lands irrigated from the Eagle River and certain of its tributaries; the Hawley and Reese Ditch; 1889.

District No. 38; lands irrigated from the Roaring Fork River; the Waco Ditch; 1880.

District No. 39; lands irrigated from Elk Creek, a tributary of the Grand River, near Glenwood Springs; the Ware & Hinds Ditch; 1883.

District No. 40; lands irrigated from Crystal Creek, in Delta County; the Noland Ditch; 1890.

District No. 41; lands irrigated from the Uncompahgre River; the Ross Brothers' Ditch; about 1882.

District No. 42; lands in the vicinity of Grand Junction, irrigated from the Grand River; the Pioneer Ditch; about 1882.

District No. 43; lands irrigated from White River; the Powell-Park Ditch; 1880.

District No. 44; lands irrigated from the Yampa River; the Taylor Ditch; 1879.

District No. 45; lands in vicinity of Glenwood Springs, irrigated from the Grand River; the Clausen and Byrue Ditch; 1885.

District No. 46; lands irrigated from the North Platte River; the Little Grizzley Ditch; 1881.

District No. 47; lands near the northern line of the State, irrigated from the North Platte River; the Owl Ditch; 1880.

District No. 48; lands irrigated from the Big Laramie River; the Mansfield No. 2 Ditch; 1880.

District No. 49; lands irrigated from South Fork, Republican and Smoky Hill rivers; the Cowgers Ditch; 1890.

District No. 50; lands irrigated from Muddy and Troublesome creeks, tributaries of the Grand River; the Ennis Ditch; 1891.

District No. 52; lands irrigated from the Grand River, between the mouth of the Blue River and that of the Roaring Fork; the Henry Ditch; 1883.

District No. 53; lands irrigated from the Grand River, above the mouth of the Roaring Fork; the Stewart Ditch; 1882.

District No. 54; lands watered from the Little Snake River; the Salisbury Ditch; 1884.

District No. 56; lands irrigated from the Green River and its tributaries; the Doudel Ditch; 1880.

District No. 57; lands irrigated from the Yampa (or Bear) River; the Bear River Ditch; 1881.

District No. 58; lands irrigated from the Yampa River; the Mill Ditch; 1883.

District No. 59; lands watered from the Gunnison River, above Tomichi Creek; the Hartman Ditch; 1875.

District No. 61; lands irrigated from the Dolores River, above the mouth of San Miguel; Goshorn Ditch; 1878.

District No. 62; lands irrigated from the Gunnison River, below the mouth of Tomichi Creek; the Mergelman Ditch; 1881.

District No. 64; lands irrigated from South Platte River, west of the Washington County boundary line; the South Platte Ditch; 1872.

District No. 67; lands watered from the Arkansas River, below the Los Animas; the Fewget Ditch; 1890.

District No. 68; lands watered from the Uncompahgre River, above Water District No. 41; the Old Agency Ditch; 1875.

The water-districts not mentioned in the foregoing embrace parts of the valleys of the Los Pinos, San Juan, LaPlata, Blue, Grand, Yampa, San Miguel, Dolores, Republican, Cimarron and Roan rivers; and nearly all the facilities for irrigation now in use in these districts represent work done since 1885, and mostly in recent years.

The length of our water-conduits for irrigation at present aggregate upward of twelve thousand miles; and the areas watered and made productive by them contain more than two million acres.

According to the records in the office of the State Engineer, the water available in the seventy districts into which the domain of the State is divided, promises ultimately to raise the total of the irrigated areas in Colorado to between three and four millions of acres, assuming a required seasonal duty of one inch of water to the acre—that is to say, enough to cover the land to the depth of one inch. The quantity of water now decreed for reservoirs in District No. 3, alone, is the equivalent of more than two billions of cubic feet. It is probable that the reservoirs now under construction, together with those that are projected and which doubtless shall be built in the very near future, will have capacity for storing about all of the flood-waters of the various streams having their sources in the mountains of Colorado. These and other great undertakings for the reclamation of arid lands have been given additional encouragement by the provisions of an act of Congress, which is popularly known as the "Carey Land Act".

It should be stated here that many irrigation enterprises in Colorado

have been crippled and brought to failure in consequence of unjust exercise of the power vested by the Constitution of the State in the Boards of County Commissioners to fix the rates for conveying water in main ditches for distribution to water-users, and denying to the owners of such property the right of appeal or review. As a rule, the Commissioners of counties in which there are irrigated lands are elected from and by users of water; and in frequent instances they have fixed the rates so low that it became impossible for the owners of main ditches to derive revenue sufficient to meet the expense of operating their properties. Practically all of the canal-systems constructed in Colorado between the years 1880 and 1890 by outside capital have passed into the hands of the owners of the lands that are served by them. These now are operated by mutual ditch companies, formed by the landowners, who obtain water for irrigation at cost, while their canals are exempt from taxation.

The industry of mining for the precious metals formerly was foremost in the thoughts and attention of Colorado's people, and also in the magnitude of its financial returns. But now the value of the yearly products of our irrigated lands far exceeds that of the total of the annual output of our gold and silver mines.

At the time when the Federal Reclamation Law was enacted there was rather a general misunderstanding as to what the ultimate consequences of that legislation would be. This was due partly to more or less wilful misrepresentations, and partly to honest but mistaken estimates of the extent of areas of arid lands for which a supply of water for irrigation might be produced. Some of the statements went so far as to assert that the operation of the reclamation act eventually would bring under cultivation areas of such land sufficient to the support of fifty millions of people. It is estimated that by the close of the year 1910 the Federal Reclamation Service, in the entirety of its activities since its organization, will have provided means for watering a total of nearly two millions of acres, at a cost of \$70,000,000. Of this total, the Gunnison Tunnel Project represents all that the Service has accomplished in our State; all other reclamation in Colorado up to the present time having been the work of the State and its people.

The writer of this chapter is indebted to Samuel G. Porter, George G. Anderson, H. N. Haynes, and A. L. Fellows for a portion of the information upon which it is based.

CHAPTER XXVII.

THE LIVESTOCK INDUSTRY IN COLORADO.—INTRODUCTION OF HORSES, CATTLE AND SHEEP INTO THE SOUTHWEST OF THE UNITED STATES BY SPANISH COLONIZERS OF NEW MEXICO.—PIKE'S OBSERVATIONS OF THE TRADE AND COMMERCE OF NEW MEXICO.—STOCK-RAISING BY OUR AMERICAN FUR TRADERS.—PIONEER MEXICAN STOCKMEN UPON COLORADO SOIL.—WOOTON'S "BUFFALO RANCH".—LIVESTOCK BROUGHT BY OUR AMERICAN PIONEERS.—FIRST HERD OF RANGE CATTLE IN THE COLORADO DOMAIN.—TERRITORIAL LEGISLATION PROHIBITING THE "IMPORTATION" OF LIVESTOCK INTO COLORADO.—INITIAL IMPROVEMENT OF COLORADO CATTLE.—LIVESTOCK CONDITIONS IN THE TERRITORY DURING THE CIVIL WAR.—ORIGIN OF THE "CATTLE RUSTLER" AND RESULTS OF HIS WORK. FIRST ORGANIZATION OF COLORADO STOCKMEN.—CAUSES OF ITS EARLY COLLAPSE.—LAWLESSNESS ON THE RANGE.—THE CATTLE TRAIL FROM TEXAS.—EFFECT OF RAILWAY COMMUNICATIONS.—LATER ORGANIZATIONS FORMED BY OUR STOCKMEN.—LIMITATIONS OF RANGE RESOURCES.—LEGALIZED ROUND-UPS.—BRANDS AND BRAND LAWS.—ORIGIN AND RESULTS OF THE PROLONGED CONFLICT OF INTERESTS BETWEEN CATTLEMEN AND SHEEPMEN.—FENCING THE RANGE.—END OF THE OPEN AND FREE USE OF THE VAST PASTURE-LANDS.—RECENT LIVESTOCK ASSOCIATIONS.—PRESENT CONDITIONS IN THE LIVESTOCK INDUSTRY IN COLORADO.—QUESTIONS AS TO THE PROPER USE OF THE PUBLIC LANDS.—HIGH GRADE COLORADO'S LIVESTOCK.—DEVELOPMENT OF HOG-RAISING.—DENVER AS A LIVESTOCK MARKET.—WORK OF THE LAMB FEEDERS.—MERGING OF STOCK-RAISING WITH AGRICULTURE.—PRESENT VALUE OF LIVESTOCK IN COLORADO.

BY FRED. P. JOHNSON.

Some of the earliest American pioneers in the intermountain section of the West that now constitutes the State of Colorado realized the great possibilities that might result from a thorough utilization of the millions of acres of nutritious grasses growing upon the plains and in the mountain-valleys, and upon which countless thousands of buffalo had fed and flourished for unknown ages.

Horses, cattle and sheep were introduced into what is now the Southwest of the United States in years before English-speaking men had founded a settlement anywhere in the Western World. Coronado brought some with his luckless expedition in search of the mythical and mystic Golden City of Quivira, in 1541. But the first that came to stay and multiply were those driven into the upper section of the Rio Grande Valley by Oñate and his colonists, who, in the year 1598, founded a town in a locality a short distance above the site of Santa Fe, which city did not have its beginning until a few years later. From the remote time of Oñate until our own such domestic animals have been the useful companions of white men in the Great Southwest.

Through after years, by accident and incident, some horses and cattle from the Spanish communities in the Rio Grande Valley, in New Mexico, found their way into the plains country, and there became unrestrained wanderers. The cattle fell in with the buffalo and soon lost their identity by interbreeding. But the horses necessarily retained theirs, and their



GOVERNOR JAMES B. ORMAN

species was perpetuated in the Far West on into recent times. The Indians of the plains learned the usefulness of the horse from the Spaniards of New Mexico, and had no great difficulty in capturing colts from the vagabond droves and in training them in their duties of life under red masters. Hence came the "Indian Pony", the hardiest variety of the equine family. It was such horses and cattle as those referred to in the foregoing that were the first of their respective species to set hoof upon the soil of Colorado. Doubtless some sheep also strayed from the Spanish settlements and attempted to become rovers; but these animals were unfitted for survival in wilderness environments.

The Spanish population of New Mexico was confined for many and many a year to the valley of the Rio Grande, the most part dwelling in hamlets and towns that were scattered along that stream, from the locality of Taos to El Paso. To a very large extent the people supported themselves by agriculture and stock-raising, the preference in the latter being given to sheep, toward which they had a hereditary leaning, that has been transmitted to their present descendants. It is not clear that any of these people attempted to establish settlements in what is now southern Colorado prior to the nineteenth century, although the northward country long before had become well known to them from accounts of it given by exploring and military expeditions that had been made into it by their countrymen.

For some years before the war between the United States and Mexico there were small Mexican settlements in the valleys of our Greenhorn and Huerfano rivers, and at a few places on the Arkansas River; and shortly after that war like settlements were established in the lower part of the Rio Grande's valley in Colorado. Nearly all of these people had small numbers of horses, cattle and sheep. Fuller accounts of the pioneer Mexican communities within the area of Colorado appear in other chapters of this work.

When Lieutenant Zebulon M. Pike, after he had fallen into the hands of the Spanish authorities of New Mexico, was being escorted through that Province by a troop of Spanish cavalry, in 1807, he saw thousands of sheep, cattle and horses in the Rio Grande Valley, above El Paso. He was very observant, and in one of his numerous notes on the trade and commerce of New Mexico says:

"New Mexico carries on a trade direct with Mexico and Biscay, also with Sonora and Siniloa. It sends out annually about 30,000 sheep, tobacco, dressed deer and cabrie skins, some fur, buffalo robes, salt and wrought copper vessels of a superior quality."

As to the value of this commerce, Pike said that sheep were selling at \$1.00 each; pork \$25.00 per hundred; beeves \$5.00 each; horses \$11.00 each; and mules \$30.00 each.

Bands of American fur-gatherers—traders and trappers—began to come to the Colorado mountains within three years after the passing of Lieutenant Pike. The erection of the first American trading-post in the Pike's Peak country occurred in 1826: and before the time of the Mexican War more than a dozen of such establishments successively had been built, on the Arkansas and South Platte rivers, in the domain of our State. In those days the plains country swarmed with buffalo and antelope, and therefore

the necessity of domestic animals for food was not great among the gatherers and buyers of furs.

About the year 1836, Lieutenant Lupton established his independent trading post on the Platte River, not far from the present village of Fort Lupton; and two years later Ceran St. Vrain, who at that time was connected with the Bent brothers, representing the American Fur Company, which was seeking to maintain a monopoly on the fur trade of this section, established an opposition post a few miles below, on the South Platte, and which was known as Fort St. Vrain. Both of these posts kept some live stock for domestic use. Lieutenant Lupton's effort lasted but a short time in the face of the opposition of St. Vrain and his more powerful organization.

John C. Fremont, in his account of his expedition of 1843, speaks of the peaceful and homelike appearance given by the grazing cattle and the horses and hogs around Lupton's post, and mentions its small area of cultivated land, mostly garden. In these early days, however, efforts at stock raising were exceedingly limited, and the traders as well as their employees depended almost entirely upon the buffalo, antelope, deer and other wild game for their meat supply. Probably the purpose in keeping some cattle was based largely upon the desire for milch cows to produce butter and milk to give variety to the food supply.

The great abundance of animal life which subsisted upon the plains and in the mountains upon the succulent grasses attracted much attention from our early settlers. R. L. Wootton, one of our pioneers, and known later as "Uncle Dick", is made to relate by Conard in his *Life of R. L. Wootton* his successful effort at domesticating buffaloes. In 1840 Mr. Wootton was engaged in supplying Bent's Fort with buffalo meat, and one day brought home from his hunt a pair of twin buffalo calves whose mother had been butchered. He succeeded in inducing one of the milch cows at the post to mother the two orphans, and with such success that it gave him an idea. He built a corral on the site of the city of Pueblo and gathered up forty milch cows from the Mexican settlers south of the river in that vicinity. "I fitted up a corral there," said Mr. Wootton, "and got together forty-four buffalo calves which I turned in with the cows after taking away from them their own calves."

Wootton continues in detail the history of his experiment. The cows at first would have nothing to do with the strange calves foisted upon them in place of their own offspring, but gradually they became reconciled and adopted the aliens as their own. He says that they became as gentle as the cows and later were turned out to graze with the other cattle. "I kept them until they were three years old," concludes Mr. Wootton, "and then sold them to a man who took them to New York. There they were parcelled out to show men and zoölogical gardens. I delivered them at Kansas City, driving them across the plains along with a few cows, just as I would have driven a band of cattle."

Later experience with buffaloes tends to show the possibility of the truth of this story, but it is more valuable as an incident showing the trend of thought of the early settlers to utilize these vast acres of grass.

With the discovery of gold in 1858, and the consequent Pike's Peak excitement and the rush of immigration from the east in the next year, began the first effort at practical utilization of the natural pastures. The

necessity for food supplies for the thousands of Argonauts brought trail herds out from Missouri to supply this demand. Long trains of wagons drawn by yokes of oxen drifted across the plains from the Missouri River, and upon arriving at the mountains the first effort was to seek for gold. Many oxen were turned loose, as it was impossible to care for them; but it was not long before a few men were conducting a thriving business in purchasing these worn out cattle, herding them on good pastures until fattened, when they were slaughtered for beef. This was the commencement of the beef cattle business in Colorado. The first stockmen came from the ranks of the Argonauts, and were among those who, disappointed in their search for gold, turned their attention to the first available means of making a livelihood. The wonders accomplished in the way of growing meat upon impoverished and exhausted cattle were a constant source of comment among our pioneers of 1859 and '60. One of the stock stories that was related for years afterwards, and may or may not have been true, was to the effect that a freight outfit arriving in 1859 with its oxen exhausted and worn to skeletons from forced rapid travel, concluded that the animals were worthless and turned them out on the plains to die during the winter. Greatly to the surprise of their former owners, these oxen were discovered the following spring, about forty miles down the South Platte, in a condition fat enough for slaughter; and they were gathered and butchered during the late spring and early summer.

The northern border of the State of Texas then was, as it is now, near the southeastern part of the area of Colorado; and it was but natural that the range cattle business, which at that time had begun to flourish in Texas, soon should send an offshoot into the new mining country of Pike's Peak.

In 1860, Lovell & Reed, a well known firm of Texas cattle men, brought a herd of range cattle from Texas to Pike's Peak. These cattle were herded on Turkey Creek, near Pueblo, during the summer of that year and were peddled out in small bunches to butchers, and to settlers who desired to engage in stock growing. This was probably the commencement of the range cattle industry in the country now forming the State of Colorado. The flood of immigration in 1859 and '60, and the "busting" of the Pike's Peak boom, resulted in many of the disappointed gold seekers turning their attention to agriculture and stock raising. Most of their foundation stock came from Missouri, having been driven across the plains; and very early there was developed in this section a certain amount of contempt for the long-horned, long-legged, lean-bodied range cattle that in those early days were known as "Texas Cattle".

With the establishing of the Territory of Colorado, in 1861, one of the first acts of the Legislature of the new Territory was to provide a system of stock laws. Among this legislation was an act prohibiting the bringing in of livestock into Costilla or Guadaloupe [Conejos] counties; and in the following year the Legislature passed an act, the first section of which reads as follows:

"Section 1. That it shall not be lawful for any person or persons not a resident of said territory to import into the counties of Huerfano, Pueblo, Fremont, Jefferson, Boulder and Costilla in said territory any horses, cattle, sheep, calves, jacks, jennets, goats or hogs, or any of them for the purpose of grazing, herding or feeding the same or quartering them upon the public domain, or upon the lands of any person or persons; provided, that this act shall not be construed as to

apply to any person who is the owner or occupant of the land whereon the stock is herded, or to any person who is lawfully engaged in driving or selling stock in said territory, or to any resident of said counties."

For the violation of this section the act provided a penalty of from \$1.00 to \$5.00 per head.

In 1867, the Legislature enacted a more general law, the first section of which reads:

"It shall not be lawful for any person or persons to import into the territory of Colorado any bull, cow, ox, steer or cattle of whatever description known as "Texas cattle" for the purpose of small stock raising, growing, herding or feeding, or for any purpose whatever."

While the records are not entirely clear as to what the object of this legislation was, it was probably intended to keep out the rush of Texas cattle which, even at that early day, had grown to considerable proportions. These acts were repealed shortly afterward, as it was found that it was impossible to obtain a conviction under them, and as an obstacle to the horde of range cattle from the South the laws were absolutely useless. From the very beginning, however, the comparison between the well bred cattle from Missouri with the semi-wild and degenerated stock from Texas, and the tremendous difference in value, created a greater desire among the larger of the stock-growers to improve their herds.

In 1864, Samuel Hartsel, one of our pioneer stock-growers, determined to secure some well-bred cattle. Accordingly he set out for Missouri early in the summer of that year. It was late in the fall when he arrived in Missouri, but he succeeded in purchasing a good herd of pure bred Short-horn cattle, and prepared to return to the mountains. At that time the Indians were in possession of most of the country west of the Missouri River, and travel could take place only in large bodies, accompanied by soldiery. Under these conditions it was late in the following year when Hartsel reached Colorado with his herd, which he located in the South Park, near the present town of Hartsel. He found a good demand for all of the bulls he could raise, at fancy prices, and the pioneer stockmen soon discovered that by this infusion of pure blood, even into the scorned Texas herds, a very good grade of commercial cattle could be raised.

During the period of the Civil War, the population of Colorado largely diminished from the number here during the height of the gold excitement. It was a time of dullness; and, while some development was constantly going on, it was not until near the close of the war that the live stock industry began to attract renewed attention. The war had left the East partially depleted of its cattle; beef was selling high, and even Texas cattle were in demand upon the Eastern markets. As early as 1865 some effort had been made to send small herds from the Colorado mountains across to the River, but as the whole distance lay through a country filled with hostile Indians the effort was not greatly successful, although the movement from Texas to the Missouri River continued unabated.

In 1866 herds from Texas began to arrive in Colorado; and during that year was inaugurated the great trail from Texas toward the North. At first it extended only into Colorado, but as the subsequent tide of immigration poured into the West, and the trail was extended through Colorado and on up into the Northwest, the herds of Texas cattle spread out through

the mountains and valleys in Wyoming and Montana, with an ebb flow back to the western part of Colorado.

The plains of eastern Colorado, and those of Kansas and Nebraska almost down to the Missouri River, still were largely in possession of the Indians. Gradually the pioneers with their cattle and horses pushed farther out from the Missouri River, toward the West, and from the Colorado mountains toward the East, establishing ranches and utilizing the vast prairies as grazing ground for their stock. But it was late in the '70s before these advancing lines of civilization met, near the boundary line of eastern Colorado.

The range cattle industry of Colorado may be considered as having been an offshoot from that in Texas. The industry in Texas was thoroughly demoralized during the Civil War, and near the close of the conflict thousands of abandoned and neglected cattle roamed over the plains, from southern Texas to the southern boundary of Colorado; and then began the dominion of the man with the branding iron. The only equipment necessary to engage in the cattle business at that time was a good horse, a saddle, a rope and a branding iron. Equipped with these, the embryo cowman started out on the prairie, to gather in anything upon which he could throw his rope and burn his brand. There was nothing at all out of the way or wrong in this work at that time. The plains swarmed with abandoned cattle, bearing no marks or brands, and over which the original owner would be unable to establish any claim of ownership. Before there could be any organized business it was necessary that these cattle should be reclaimed and branded. The early cowmen, who were later to become the cattle barons, were men who were willing to dare and do. They had nothing to lose and everything to gain. Starting out in the spring with only a horse and branding iron, many of these diligent pioneers went into winter quarters with a well-sized herd of cattle and horses, and in an inconceivably short time they were established firmly in the business. Of course, the first efforts of these stockmen were to reach a market with a herd of cattle, so as to secure some cash capital for their future work. After that it was easy.

As these readily-acquired herds of Texas cattle began to arrive in Colorado, in 1866 and 1867, it did not take long for the ranchers of this section to appreciate the possibility of securing herds of these cheap cattle. Some went south into Texas to buy, some bought from the herds that were driven in, and so, in a short space of time, the range cattle business became thoroughly established in the Territory.

The first efforts to establish a stock growers' association in Colorado were made as early as the fall of 1867; and at that time between thirty and forty brands were recorded with the secretary of the organization; which was named the "Colorado Stock Growers' Association". Even that early our stockmen had begun to realize the necessity for organization if they were to be successful in their business. The various methods in vogue for acquiring range herds were certain to develop conditions that could be met only by strenuous coöperation and effective laws. The herds driven across the plains to the Missouri River made splendid progress, and with a market assured the demand for stock cattle increased. Texas was the nearest source of supply. The early cowman needed but a small amount of money to purchase a herd and start it on the trail north to Colorado.

As it traveled it gathered all of the cattle that strayed near the trail, and by the time the destination was reached they all wore the same brand.

This promiscuous manner of acquiring bovine property, however, was to bear fruit later, for though a man might succeed in reaching his range in Colorado with a good sized herd, he there found plenty of men waiting to practice the same methods upon the newly arrived stock. At first this practice was largely confined to the branding of "Mavericks", but, with a little experience, changing of brands and running off calves from their mothers became a business with which all the early-day cattlemen were familiar. In those times when a man started out to "rustle" a herd of cattle every one knew what was meant, and from this practice grew the term of "cattle rustler".

It did not take long to gather up and claim the abandoned and strayed cattle in Texas, and while the operations of the first comers were legitimate, the example had been set and it became a struggle to retain possession of the herds thus so easily acquired.

The first efforts at organization by our cowmen, however, evidently were for the purpose of securing a certain amount of coöperation in caring for their herds on the plains; but with every man busily watching his neighbor and branding every calf he could reach, and with even the cowboys working for the large owners likewise striving to secure a small start for themselves, the association lasted but a few months. One of the first of its acts was to hire a detective; and Dave Cook, one of the famous detectives and peace officers of those days, was given the job. All of the stockmen had been missing many cattle, and Detective Cook was instructed by the officers of the association to look into the matter and report. When the detective's report came in, it revealed the fact that the officers of the association were most active in disposing of their neighbors' cattle and in branding their calves. The records of the first association are far from complete, and the only official note of the result is the acceptance of the resignations of the President, Vice President, Secretary and Treasurer, and the appointing of new officers in their places.

The stock-laws were few in those days, and those that existed were almost impossible to enforce; so it was little wonder that each cattleman regarded his neighbor with suspicion. In self-defense each had to do as his neighbors did, and brand any calves he could find. After a few months of stormy life, the association was abandoned and forgotten, and the free-for-all game continued unabated until several years later.

This method of conducting business, however, was all in favor of the big, organized cattle-companies, which were able to employ the largest number of cowboys. There was no organized method of rounding up the cattle for branding, and each "outfit" worked independently and branded everything it found. When it came to marketing, the stockmen were not very particular whether all the cattle they gathered wore their brand or not. In order to encourage loyalty among their cowboys, each of the latter was permitted to have his own brand and to brand some of the cattle for himself. It was free for all, so why not? But it was this method that ultimately forced upon even the big operators the necessity of law and system in the conduct of the range business.

With the arrival of the railroads in Colorado in 1870, the lawless methods in vogue began to bear their natural fruit. There was nothing to

prevent any one from going upon the range, gathering up a bunch of cattle, loading them into cars and taking them off to market. Cattle thus were stolen by the car-load, and train-load, with impunity; and it was then that the established cattlemen, big and little, began earnestly to protest against the very methods they themselves had established. Organizations sprang up in all parts of the range country, the members being sworn to protect each others' rights. The Colorado legislature was appealed to, new and more effective laws were passed, and the cattlemen themselves assisted in their enforcement. From that date the industry began to take on system and form, and in a remarkably short time the cattle industry became the leading commercial industry of the Territory.

The development of the cattle trail from Texas to Colorado and the Northwest was exceedingly rapid, and was attended by many events of great interest. The trail as far north as Colorado was well opened by 1867, and from that time until late in the '70s, in every spring and summer, a vast number of cattle poured from the breeding grounds of the Southwest into the rich grass-country of the North. Owing to the troublesome Indians, the first range herds in Colorado were limited to a strip of country along the eastern foothills and extending northeast along the South Platte River. By the summer of 1869 this country had been filled with cattle, and herds already had crossed into Wyoming and were working their way northward toward Montana.

The extension of the cattle-trail from Texas into the Northwest was the beginning of that romantic period of the western range cattle-business, that developed the cowboy, the cattle rustler and the cattle baron; and they were produced in about the order named. It took bold, brave men to follow that early-day trail, which was surrounded with every conceivable danger from one end to the other. Wild Indians, wild animals and wilder renegade white men harassed the trail throughout its course, and it is little wonder that the men who followed the great herds through this desert country grew indifferent to danger and learned to love the excitement connected with their strange calling. There were no lack of men to engage in the business. The close of the Civil War turned loose thousands of men who had lost everything during the war and were forced to seek a new country in which to make a fresh start in life. Service in the armies of the North and South, was a great training experience for many of the men who were to conquer the West.

While there were several different routes developed between Texas and the Northwest in the ten or fifteen years of the life of the cattle trail, probably the most important route, as far as Colorado was concerned, was that which entered the Territory in the southeastern corner, striking the Arkansas River near the site of the present town of Las Animas. From this point the trail followed a northeasterly course, leaving the State near the northeast corner, where it passed into Nebraska. The coming of the railroad in 1870 had a great influence upon the trail movement. When the Kansas Pacific Railroad was less than half way through Kansas, the trail established a trading point at Abilene, in that State. Here the cattle were loaded on the cars and shipped to market in Chicago and points further east. At this point the trail herds from the mountains, as well as those from the South met. As the railroad crept farther west toward Denver the shipping points were changed, and by the fall of 1870 Colorado cattle-

men were able to ship their cattle from several points between Denver and the Kansas line. By this time the plains along the foothills in eastern Colorado were fairly well filled with herds, and venturesome barons were reaching out farther and farther toward the eastern line.

While there was more or less trouble with the Indians, and more or less losses in consequence of Indian raids upon these pioneer range men, these losses were comparatively light as compared with the losses from natural causes and from thievery. Up to this time the business had been conducted in a very haphazard manner. It was every man for himself, and the first man to get his brand upon a calf was usually able to maintain his ownership thus established. It was only the larger outfits, who, being able to employ a small army of cowboys, were most able to retain a fairly large per cent. of their increase from this source; but even these large herds suffered more or less by the operations of their own cowboys. In those days every man who rode the range carried as a necessary part of his outfit what was known as a "saddle iron". This consisted simply of a small iron ring attached to an iron rod, which could be easily heated and used for branding purposes, the branding being done simply by using the red-hot ring as a pencil to sear the owner's brand upon the hide of the animal. Every cowboy looked forward to the time when he would have a herd of his own, and he improved every opportunity to get his brand upon an estray or a motherless calf.

With the advent of the railroad in 1870, the cattle rustlers became bolder. It was an easy matter to ride out upon the range, gather a bunch of cattle, regardless of what brand they might wear, move them to a convenient railroad station and load them upon the cars for Kansas City or Chicago. There was no method of inspection; and while some effort was made to advertise the brands of the various prominent owners, the rustler was able, as a rule, to cash in on these shipments without difficulty and with no questions asked.

The first effort at organization, in 1867, having been practically abortive, conditions became so strenuous for the legitimate cattle owner that in the fall of 1871 a small number of prominent cattlemen met at Bailey's corral, in Denver, to discuss the situation. This was in October, 1871. The meeting was presided over by J. L. Bailey, and the cattlemen present very earnestly considered the situation. By this time the trail movement through Colorado to Wyoming had grown to enormous proportions, and, following the custom established in the beginning, these trail herds were not very particular regarding the cattle they found along the trail. Thousands of cattle were absorbed by these passing herds and were lost forever to the owners. In addition to this, the hard winter of 1870 and 1871 left thousands of dead cattle upon the range; and, before the proper owners could realize what was being done, organized bands of "rustlers" were hard at work taking the hides from these dead animals, and which were shipped in car-loads to eastern markets, while the cattle owners of Colorado were defrauded from even this small salvage from the wreckage.

It was determined that they must either organize at once for their own protection or get out of the business. Accordingly a meeting was called and word sent out to cattlemen all over the state; and on November 10th, of that year, the meeting was held and the Colorado Stock Growers' Association informally organized.

On January 6, 1872, a formal meeting was held in Denver, in the American House, pursuant to a call therefor that had been issued, and A. J. Williams was elected Chairman, and W. Holly, Secretary. Committees were appointed to draft bills for laws for the protection of stock, to be presented to the Legislature, which was then in session. An adjournment was taken to January 19th, at which time a mass meeting of the stockmen was held in the hall of the House of Representatives of the Territorial Legislature, where a permanent organization was effected. John G. Lilley was elected President, Joseph L. Bailey Vice-President, and William Holly, Secretary. The executive committee consisted of W. W. Roberts, Jas. M. Wilson, J. L. Brush, Alfred Butters and Geo. W. Brown.

Shortly before this time a small number of stockmen in the southern part of the State had organized the "Southern Colorado Stock Growers' Association", and a similar organization had been effected in Wyoming. Upon the occasion of the Denver meeting for permanent organization, representatives were present from the Southern Colorado Stock Growers' Association and the gathering was addressed by W. H. Latham, Secretary of the Wyoming Graziers' Association. This address was published in full and gave a very comprehensive review of the condition of the range cattle industry at that time. It was very apparent from the published reports of the Denver meeting that practically all of the cattlemen of that time were eagerly looking for an opportunity to sell out. The hard winter of 1870-71, and its consequent losses; the many difficulties surrounding the maintenance of their herds upon the open range; and the constantly increasing number of cattle, which threatened to destroy the grazing, made the outlook far from encouraging. Secretary Latham, of the Wyoming Association, in the course of his remarks, said:

"Much has been said and written of this industry, and the attention of the whole world has been drawn to the pasture lands of these Rocky Mountain slopes. Perhaps there is none of your industries that has had such a rapid growth and development as this one. Certainly none has attracted more attention and none bids so fair to draw capital to us, and these false rumors and reports of losses strike directly at this great interest. Before a million farmers of the East, grazing here was on trial, and these witnesses have been swift to testify against it. With the usual speed of falsehood their testimony has so far out-traveled truth that the people in the East today think that universal ruin has overtaken the stock of the plains and mountains. The importance of correcting these false impressions has induced me to devote a few minutes to giving you a report on the flocks and herds which are on the line of the Union Pacific Railway, from North Platte to Green River. I give you this as I have it from the owners themselves of this stock."

Mr. Latham proceeded to show by the reports he had received that the actual losses had been exceedingly light. His reports related mostly to cattle along the line of the Union Pacific Railway in Wyoming, and he mentioned herds comprising from 5,000 to 45,000 head. At this time the ebb flow from the vast herds that had been driven into Wyoming had commenced to reach down into western Colorado, on the other side of the mountains. In his address Mr. Latham said further:

"In western Colorado there are about 10,000 head of cattle wintering. They have encountered little snow and have had small losses, if any. The stock in the Wyoming region of which I have spoken will aggregate more than 100,000 cattle, 30,000 sheep and 2,000 horses. I wish to call your attention to the fact that this region in which the stock is being pastured, of which I have spoken, was

three years ago an uninhabited waste. These flocks and herds have all been brought there within that time and the great majority of them within the past year."

It is estimated that in 1871 the total number of cattle in Colorado, based upon the returns of the various County Assessors, was in the neighborhood of 200,000 head, and that their total value was approximately \$3,000,000. Under the efforts of the new organization new laws were passed by the Legislature providing penalties for stealing cattle or driving them from the range, and the new association hired detectives and proceeded to inaugurate a war to the death against the "cattle rustlers", which has proceeded practically without intermission from that day to this.

At this time, also, began to appear the first attempt at system in the handling of the range business. Round-ups were organized and laws secured which permitted County Commissioners to appoint foremen of these round-ups and to legalize the work. Arrangements were made under law for the recording of brands with the various county clerks, and the appearance of a brand upon a range animal was made by law *prima facie* evidence of ownership.

The introduction of system in the range cattle business did not come without more or less opposition. The legalized round-up was not in favor with those who were fond of increasing their herds by branding stray calves. However, after two or three years trial of this system of operation, a majority discovered that it was the only practical manner in which the range cattle industry could be perpetuated. But, as in other systems, faults were discovered in the course of experience, and almost every year it became necessary to introduce changes. Through the efforts of the State Cattle Growers' Association, however, laws were secured, which established the round-up districts, and authorized the County Commissioners to appoint foremen and pay them from the county funds. The law also provided for the registering of brands in each county. This law gave rise to considerable trouble, as it was found that many similar brands became recorded in adjacent counties, and cattle straying back and forth from one county to another caused much annoyance and confusion. To overcome this, a law finally was passed, late in the '70s, requiring all brands to be recorded with the Secretary of State, and forbade any further recording with county clerks. This proved a big improvement over the old method, and no further trouble was had over the branding question until late in the nineties. By that time the books in the Secretary of State's office contained the record of over 40,000 different brands. These brands were kept recorded in a large volume, and as the process lacked system, it was almost impossible to prevent the issuing of duplicate brands. By this time many of these brands were dead, owners having sold out and left the country; and in order to get the records in proper shape, a law was enacted levying against all the cattle brands in the State, a tax of fifty cents a year, for two years, and requiring all brands upon which the tax was paid to be re-recorded. Under this law about 20,000 brands were re-recorded, and the remainder of the brands were then for sale, to whoever might desire them, at \$1.00 each, the sum of the two year tax. In 1901, the Cattle Growers' Association decided that by the adoption of some better system in recording the brands, it would be possible to prevent further trouble. Under their direction, therefore, card indexes were arranged so that it was possible easily to refer to any brand any person should desire to see. Under this

system it is not probable that there will ever be any further difficulty regarding confusion in brands or of scarcity of available brands.

During the early '70s, nearly every stockman raised both horses and sheep in addition to cattle, but they soon began to discover that it was necessary to specialize in one branch or the other of the industry. Some elected to take up sheep and others turned to cattle. In 1876 the President of the Stockgrowers' Association called attention to the fact that both sheep and horse growing had become important branch industries, and recommended that the name of the Colorado Stock Growers' Association be changed to the "Colorado Cattle Growers' Association." Even at that early time it was recognized that there would be clashing between the sheep and cattle industries, and that the two branches could not be conducted together. This was due to the circumstance that in order to protect the sheep from the wild animals, it was necessary to herd them in flocks, and these flocks being pastured upon the range, took all of the grass as they passed, leaving nothing for the cattle. The first trouble on account of the sheep began in Texas in 1874. There was some clashing in Colorado during 1874-5, and the foundation then was being laid for the long fight between these two interests, which has continued practically unabated to the present time. At the annual meeting of the Colorado Stock Growers' Association in January, 1876, President J. M. Wilson in his annual address to the association said:

"The range, the feed, in other words, on which our stock exist and fatten, is today the matter of the utmost importance to us all. The belief seems to prevail with those who have not watched and noted its steady decline, that our range is unlimited, and that all that is necessary is to come with horses, cattle and sheep—no matter how many—and turn them loose, and all would do well. Now the range of Colorado is large and the feed good, but that it is unlimited and cannot be overstocked is simply nonsense, and the sooner we realize this truth the better for ourselves and the better for the country. When we get more cattle than the grass will fatten fit for shipment to the States, the business is ruined. That this has occurred in certain districts this year, which has been better than the average year, is the truth. Already large portions of our territory where cattle used to range and fatten has become eaten out, and no one can turn their stock out in the fall with the assurance that they will go through the winter with safety unless they are fed during the severe weather. Many of the herds from these districts have been moved for this reason—some east to the Republican and some north to Wyoming. These are facts which cattlemen know to be true, and it is well for us to ponder over them, and secure our business accordingly.

"During the past two years serious difficulties have arisen between the sheep and cattle interests in various portions of our territory—grazing as they both do upon the public lands, they are both trespassing upon the public domain, and one can claim no right over the other unless it be priority of settlement. Our last Legislature threw the question out, deciding that they could not legislate on the question, as the public domain was beyond their jurisdiction. These two interests, both of great importance to the country, and both depending upon public lands for their support, are turned out together upon the public domain to settle the most difficult question that can be conceived; that is, how two interests with not one thing in common, save grazing upon the same grass, but otherwise naturally antagonistic in every particular, how these two interests can work harmoniously on the same range.

"The business of cattle-growing has been the leading branch of the stock business until the last few years. Naturally all the ranchmen from the days of 1860 to the present time keep more or less cattle, depending upon the public domain for feed for their stock. They have made their improvements, established their homes, and intend to stay with us if they can. When sheep are brought upon these ranges, where their cattle have been accustomed to run, the cattle will no longer feed

there, but will seek other pastures; hence their business is ruined, their property scattered and ill blood the consequence."

This is a very fair statement of the beginning of the trouble between the sheep and cattle interests. It marks also the beginning of the time when all stockmen began to realize that the free open range, vast as it was, after all was limited. The first difficulty, of course, came between the flocks of sheep which were driven upon the ranges claimed by farmers who had established homes, and who depended upon the pasture for a living. During the '70s there occurred numerous pitched battles between the two interests—the sheep men as a rule being the sufferers, but by the latter part of the '70s the territory has been pretty well divided; the sheep taking most of the territory in the southern part of the State, and the cattle keeping to the north. During the '80s the trouble broke out on the Western Slope. Some of the cattlemen from Wyoming and Utah had been driven gradually from their old ranges until they were against the western slope of the mountains in Colorado. They could go no farther and there they made a stand. The sheepmen made several attempts to enter the northwestern part of the State with their flocks, but in each instance they were met by iron-clad bands of cattlemen who drove the sheep over the cliffs or destroyed them with clubs, and drove the herds back with a grim warning not to come again. Some attempted to oppose the cattlemen and to maintain that section free for the sheep, but up to the present time no sheep have become established in it. To the present time the northwest section of Colorado comprises some of the best range in the State, and is about the only exclusive cattle territory still remaining.

As the country became more settled, and the lands were fenced by the farmers, there was a gradual return to diversified stock-raising. In a number of instances where theretofore no sheep had been permitted, small flocks have been maintained upon the enclosed pastures, and it is found that where the sheep are allowed to graze at will, that they get along with the cattle and horses without any difficulty.

By 1877 the steady incoming of cattle from the South over the trail had occupied all the available range in Colorado, from the mountains to the Kansas line. During that year the herds of Colorado and Kansas mingled, and there was a continuous line of settlers from the mountains to the Missouri River. Even at that late date, however, there was more or less trouble from the Indians, which still continued depredations through the practically settled section along the Kansas-Colorado border. In that year the Legislature adopted a memorial asking Congress to establish military posts at several points in the eastern part of Colorado for the protection of settlers and stockmen.

During the period from 1872 to 1882 the constant effort of those engaged in the cattle industry was to get their business upon a still more systematic basis. The organization of the Colorado Cattle Growers' Association was the principal factor in bringing about this result. At every meeting of the Legislature the stockmen were on hand asking for new laws and the amendment of old laws as experience showed the necessity. The fight against cattle stealing and unlawful branding was a tremendous battle and the difficulty of securing convictions often led to stockmen quietly taking the law into their own hands, but on the whole the efforts of the or-

ganized industry was to make those engaged in the business conform to the laws.

After the establishment of authorized roundups and the recordings of brands as evidence of title, the associations turned their attention to the enforcement of the laws they had secured and the inspection of all cattle moved from the State. At first the inspection was only for the protection of the members of the association, but in 1881 they secured a law from the State providing for State Board of Inspection and a tax levy of one-fifteenth of a mill against all property to maintain a system of State inspection. In 1882 this new system was put into effect and all cattle were inspected on the markets to prevent any one but actual owners selling the stock. The officers of the first Board of Inspection Commissioners consisted of J. L. Brush, President; and S. E. Wetzel, Secretary. Under this new system all the cattle of the State received protection, and the principal work of the association was to see to it that the right men were appointed as Commissioners by the Governor.

With the discovery that the great free pastures, after all, were not unlimited, began the first efforts to put the stock business upon a permanent basis. The pioneer stockmen apparently had but one idea—to get all they could out of the business, make a fortune, if possible, and then sell out. With all it was a grand scramble to get the grass, and only the man who was injured or forced to hunt new range complained of the overstocking and overgrazing of the ranges. As the sheepman was compelled to herd his flocks in order to protect them from wild animals and loss, he had the advantage. Wherever a band of sheep was driven they left the country behind them as bare as a floor, the thousands of hoofs trampling what was left of the feed into the earth. No cattle or horses could graze after a band of sheep, and as might made right in those early days, the sheepmen became more and more offensive in their scramble for the grass. Cattlemen made common cause against them, however, and after a few open battles in which the sheepmen got much the worst of it, the territory was divided in most localities, and thereafter a sort of armed neutrality was maintained.

But the division of the ranges did not end the contest for the grass. It simply changed the fight from cattle against sheep to cattlemen against cattlemen and sheepmen against sheepmen, each struggling to secure pasture for their flocks and herds. All kinds of schemes were invoked, from open warfare by force of arms to conflict of wits and cunning. As the possession of water often meant the possession of the adjoining range, some of the large cattle owners proceeded to "take up" all the lands adjoining the living streams or springs, using their cowboys and other dummy entrymen for the purpose. Many deliberately built miles of fences enclosing the range, thus literally taking possession of the public lands. This custom grew to such proportions that Congress finally enacted a law prohibiting the fencing of any public lands. For some years this law was almost a dead letter, and was enforced only when some person mustered up enough nerve to prosecute a cattleman who had fenced public lands. As nearly every cattleman was doing the same thing, prosecutions were few and convictions extremely rare.

In the early '80s began a new inpouring of settlers into the West, and as the barbed wire fences grew and multiplied and the plow turned over

the sod, the cattleman and the sheepman every year found their range more restricted. From 1875 to 1880, the great trails from the South to the North were in their prime, and the great bulk of the cattle moved this way every year. By 1885 encroaching settlers had made the trail difficult and in some places impossible. The railroads were fighting hard for the privilege of carrying the cattle, and the movement was partly by rail and partly by trail. By 1890 the through movement by trail had practically ceased and the railroads carried all of the cattle between Texas and the northern ranges.

It was not until during the '90s that the range stockmen began to see the end of the free open range. Then was started the scramble to secure lands. Every imaginable scheme was followed, from the purchase of railroad-grant lands to buying out settlers and using dummy entrymen to add to the pastures. It was during the closing years of the '90s that the agitation for the leasing of the public lands for grazing was commenced, and then began a fight that has not even yet ended. It was the last expiring effort of the range cattlemen. Already many had commenced to dispose of their breeding stock and were handling only steers purchased in the South, which could be gathered and shipped to market in a few days, if it became necessary. Settlers were still pouring into the range country and the only hope of continuing the business was in being able to lease the grass lands at a low price from the government.

In 1897, the National Live Stock Association was organized in Denver, with representatives from all parts of the West and including the last of the range barons. At the first convention, held in Denver, a resolution was proposed urging the leasing of public lands. The second convention, held in Denver in 1898, again discussed the proposition and met with considerable opposition. In 1899 the convention met in Fort Worth, Texas, and with the aid of the Texas vote succeeded in adopting a resolution favoring the leasing of public lands to stockmen.

Up to this time, the matter had not been seriously considered by the small stockmen, who by now were in the great majority, and included those who had secured pastures and had their eyes on other lands they hoped to secure. The action of the Fort Worth convention, however, made the question a vital issue, and at once the stockmen took sides. The small stock farmers and the sheepmen strenuously opposed the proposition, and a convention of Western Slope cattlemen, held in Denver in 1900, most emphatically declared against the proposition. The old Colorado Cattle Growers' Association having ceased to exist, a new state organization was formed known as the Colorado Cattle & Horse Growers' Association. This organization had no individual membership, but was composed of the many local associations of cattlemen scattered over the state.

For a number of years the fight continued both in the National Association and in the Colorado Association, the argument spreading to other States, but with its center in Colorado, where the headquarters of the National Association were maintained. Early in the fight, the assistance of President Roosevelt was secured, and in order to bring home to the stockmen a realization of the situation, stringent orders were issued to enforce the law regarding the fencing of public lands. This enforcement at first took the shape of warnings. Later prosecutions were commenced and some of the most prominent cattle barons were sent to prison for terms of years.

Then came the Forest Reserves. While these reserves had been known to exist for a number of years, it was only in name. But suddenly President Roosevelt withdrew thousands of acres, and under Chief Forester Pinchot, stockmen were ordered to secure permits before permitting their cattle to graze within these reserves. Immediately the leasing question was almost forgotten in this new menace to the industry, and again the stockmen took sides, the small stockmen and the sheepmen objecting to the plan and the big stockmen, seeing in this a chance to demonstrate the advantages of regulated grazing, earnestly backing the Roosevelt and Pinchot plan. At first no charge was made for permits for grazing on these reserves, but a demand for a grazing fee of twenty-five cents per head soon followed, and later this was increased, and as the fee increased so did the opposition of the farmers and stockmen.

By this time the organized stockmen of Colorado had become, by a large majority, opposed to both the forest reserves and the leasing plan. At meeting after meeting the question was fought over but with the same result. The National Association split on the same rock, and in 1906 there came an open rupture resulting in the organization of a new association known as the "American Cattle Growers' Association." A year later the two national organizations were consolidated under the name of the "American National Live Stock Association," but upon a basis that practically eliminated the small cattlemen and the sheepmen; and today that organization is openly in favor of the leasing of the public lands or some form of government control.

In 1907 the national organization made a strong effort to secure the passage of a law through Congress to regulate the grazing on public lands under a leasing plan. The law was attached to the Agricultural appropriation-bill as a rider, but through the strong objection of the Colorado State Association it went out on a point of order raised by one of the Senators from Colorado. In every succeeding session there have been bills pending for the leasing of the public lands, but as the power of the big cattle owners continues to wane, each year renders the chance of such legislation less possible.

In the meanwhile the big herds of cattle have disappeared. Where, a few years ago, were many herds of 5,000 and 10,000 cattle, today the herd of five thousand is the exception, and the bulk of the cattle are held in herds of from 100 to 500 head, and the man with 1,000 cattle is regarded as a big owner. While the unoccupied public lands are still utilized as range in the summer, the cattlemen have all become farmers, and all feed their cattle to a greater or less extent during the winter months. By the year 1909 the range cattle business as it was known in 1870 to 1880 had almost completely disappeared. While cattle still are branded and still are grazing upon the public range during the summer, they occupy a greatly limited territory, and can wander but a few miles in any direction without finding their path barred by barbed wire fences of the settlers. During the winter the cattle of their own will seek the ranches, where they knew by experience that feed will be provided.

Even the character of the cattle has changed radically. The old Texas Longhorns, which, even twenty years ago, was common on the range, is seen no more. In their place are the handsome, well-bred cattle from the Shorthorn and Hereford, and even Aberdeen, Angus, and Galloway breeds

through sires imported from England. Since the cattle must be cared for and fed in winter, the stockmen have found that it is cheaper to feed the good kinds than the nomadic cattle of the early days. The modern cattle are bred to live a more civilized life. They are seldom out of sight of the ranches and civilization. They are easier handled, wander fewer miles in search of food, and in many localities will gather at the home ranch at the first sign of winter. Where the range cattle were worth an average price of \$15 per head in the early days, today they average about \$40 per head.

The evolution during the last twenty years has affected all classes of live stock. Even the sheep are not the same kind that formerly roamed over the ranges of Colorado. All of the principal sheep breeds can now be recognized, and only among the Mexicans in the southern part of the State and among the Navajo Indians, can still be found some of the old native Merino sheep that for so many years was the only class of sheep known in the State. Where lambs could be purchased in the fall, twenty years ago, at seventy-five cents to \$1.00 per head, two to three dollars now are demanded and easily obtained. While the bulk of the sheep business continues to be handled on the open range as in the early days, many of the sheep owners now provide hay for winter feeding and shelter for lambing-time. The sheep are worth more, and losses mean more serious inroads into profits. On the many farms throughout the State at the present time, can be seen small flocks of well bred sheep, showing a growing tendency to diversify the stock-growing business.

In no branch of the industry has the evolution been more marked than in the horse-raising branch. The first horses of the West were largely of the stock possessed by the Indians. In those early days there were numerous bands of wild horses, descended from escaped and abandoned horses, some of which probably were of the early Spanish importations. From these herds the Indians increased their holdings, but with the coming of the cattlemen, the necessity of mounting their cowboys led to more or less effort to improve the stock, although the old Indian ponies, the broncho and the mustang, provided the basis.

During the latter part of the '80s and early in the '90s, horses became very cheap in the West, and thousands were permitted to run at large in Colorado because they were not worth gathering or caring for. Then came the Boer War in South Africa, the Spanish-American War and the Japanese-Russian War. The demand for cavalry remounts quickly changed conditions through the West. There was a general gathering of horses from the range, and train-load after train-load were shipped from the State to supply the increasing demand. Anything that even looked like a horse was worth a price, and by 1905 even breeding stock was scarce in Colorado, and about the only vagrant horses that were left were in northwestern Colorado, and they were being continually hunted.

The price of horses advanced rapidly, and with the increased demand for them for agricultural purposes the stockmen again turned their attention to breeding, but as even the larger part of the foundation stock had to be brought from outside of the State, the new effort was based upon more modern lines. Syndicates of stock farmers were organized to purchase imported stallions of the improved breeds, and three, four and five thousand dollars was an ordinary price for these. In an incredibly short time the character of the Colorado horses was changed. The small, wiry, vicious, almost un-

tamable broncho and cow pony disappeared like snow before a Chinook wind, and in their place came the big, slow-moving, but massive Percheron, Belgian and Clydesdale.

The history of swine in our State is still in its infancy. While there have been a few hogs in Colorado almost since the advent of civilization, swine growing as an industry has only just commenced, but with every prospect of ultimate success. The successful production of the hog depends largely upon farm conditions. The introduction of alfalfa as a general forage crop on irrigated lands, was quickly followed by an increase in the hog population of the State. Naturally enough, the first settlers in the extreme eastern part of the State brought with them from Nebraska and elsewhere in the East their hogs, and our first surplus of marketable hogs came from the eastern part of the State. In recent years, however, the San Luis Valley and other sections of the State, and especially around the irrigated sections of northern Colorado, have commenced to breed hogs at a rate that promises ultimately to supply the Denver market.

The marketing of the live stock of the State for many years was fraught with more or less difficulty. In the early days local slaughter houses of the most primitive kind easily took care of the total production, but with the advent of the range live-stock business of the late '60s, the cattle were trailed across the plains to Kansas City, and from there were sent by rail to Chicago. As the Kansas Pacific Railroad crept across the plains the trouble of reaching a market became less and less. To supply the local trade, Denver early became a market center, the passing trail herds supplying the local dealers with most of their stock, which was retailed to the butchers from surrounding towns, where they did not have a local supply. For a short time, stockyards were maintained on the banks of Cherry Creek, near Broadway, in Denver; but later these were moved down the Platte to a point where the present stockyards are located. Here a few traders conducted business, buying from the trail herds and selling to local butchers.

The development of a live stock market in Denver was a natural incident due to the growth of the industry. About 1880, John A. Clough purchased a tract of land on the South Platte River, below Denver, and there established stockyards. The Hoffer Brothers then opened a slaughter house near by. Here was the historical beginning of Denver's live stock market. At first the business was done only on Sunday. The small number of speculators operating there spent the week in gathering a few head of beef cattle, and on Sunday the butchers from Denver and adjacent towns came down to purchase their week's supply. Most of the local butchers had their cattle slaughtered in the adjoining plant, and delivered during the week as they wanted them. The retailers in the mountain towns had their cattle driven to them during the week.

Cheap corn in Kansas and Nebraska started a demand for feeder-cattle, and it was not long before the feeder buyers from the corn district were searching the West for cattle to put in the eastern feed lots. Gradually the Denver buyers built up a little trade supplying this demand. In 1885 the Denver Union Stock Yards Company was organized, with the principal capital from stockholders in the Kansas City Stock Yards. The new company built additional pens and a scale house, and opened for business in May, 1886. In that year the new yards handled 54,000 cattle, 23,500 hogs, 26,000 sheep, and about 5,000 horses and mules. The Burkhardt Packing

Company had been started about two years before and was doing a fairly good business, importing hogs and cornfed cattle from Nebraska. In 1887 local capital incorporated the Colorado Packing Company, with a capital of \$225,000. This new company purchased the business and plant of the Burkhardt Packing Company, but in 1889 abandoned the old plant and erected a new and modern establishment. In 1903 the Western Packing Company was incorporated, by local capital and a large and modern plant was erected by it.

With the development of agriculture in the State, the business at the Denver Stock Yards steadily increased, and in 1906 the National Packing Company, which represented three of the largest packers of the country, Swift, Armour and Morris, purchased a controlling interest in both of these packing plants and the Union Stock Yards. In that year the business at the Denver Yards had grown to 329,000 cattle, 193,000 hogs, 825,000 sheep and 16,500 horses and mules. Since that time the market has been upon a firm basis, and is steadily growing, with no question but that it will be the great live-stock market of the West in the near future.

During the ten years from 1890 to 1900 there was a steady but constant evolution of the cattle business of the State from range conditions to farm conditions. The improved grade of the cattle, accompanied by their increased value, made it impossible to conduct the business in the more or less haphazard way that had characterized it up to that time. The old Texas Longhorn knew how to rustle a living from the desert, and could stand a wonderful amount of grief and still pull through to maturity. The infusion of improved blood, however, brought better cattle, but they depended upon plenty of feed; and it was not until a few hard winters almost wiped out vast herds, that the stockmen learned that their improved cattle must be fed in winter at least. In the early days, when the range was open, a winter blizzard would sweep the cattle along before it until they drifted out of the storm or weathered it. Under the modern conditions the cattle stopped when they reached the first wire fence, and there their bodies would be found after the storm.

In a very few years the big herds disappeared as if by magic, and in a short time the business adjusted itself to the new conditions—small herds attached to a ranch, where feed could be provided for winter feeding.

About this time the lamb-feeding industry arrived. In northern Colorado alfalfa had been developed as a forage crop. By 1895 this rich forage-plant was being grown by all farmers, and so much hay was being produced that it was almost a drug on the market, prices as low as \$1.50 per ton being common. A train-load of sheep was brought to Fort Collins, in the winter of 1892-93 by a speculator, and were fed alfalfa hay. The result of this experiment was so profitable that other farmers tried it as a method for providing a market for their alfalfa. In three years this business had developed to such an extent that alfalfa was worth an average price of \$5 per ton, and farmers who were feeding sheep were getting rich. By 1905 the Fort Collins lamb was known all over the country, and the feed-lots of the State were feeding an average of 1,500,000 per year, although as high as 2,000,000 head were fed in one year.

As early as 1896 some effort was made to stall-feed cattle, but as there was a general idea that cattle could not thus be fed successfully without corn, and as corn had to be shipped into the State from Kansas and Ne-

braska, very little progress was made. The development of the beet sugar industry, however, quickly changed this. The establishment and operation of beet-sugar factories at Loveland and Fort Collins provided a vast amount of by-product in beet pulp and molasses which could not be realized upon unless it was used as food for stock. Experimental work was commenced, and within a few years thousands of cattle were being fed around the sugar factories in various parts of the State. This industry now is limited only by the amount of the supply of beet-pulp.

Thus the live stock industry aided in the development of agriculture, and it is now generally recognized that the more successful agriculture in the State must include the rearing of live stock. The lamb-feeders found themselves burdened with mountains of sheep manure for which they had no use, but with the advent of beet-growing, and the necessity of fertilizing the soil, the demand for this product increased so rapidly that now the sheep and cattle feeders feel they are successful if they have only the manure to show at the end of the season for their profit. Alfalfa is the greatest crop grown on irrigated lands in the State, but it is valueless unless fed to live-stock and thus transformed into a marketable product.

The changing of the cowboy into a farmer was not accomplished without more or less trouble. The range cattle business was largely transacted on horseback. To plow, and mow and reap, and milk the cow, could not be accomplished readily from the back of a horse, and very naturally the men of the range who were forced into the farming business were reluctant and far from enthusiastic. It was like learning a new occupation, and many retired rather than undertake the modern method of stock production, while others profited by the example of the new settlers and gradually adjusted themselves. When the Colorado Cattle & Horse Growers' Association was established about 1900, its members were practically all range cattlemen. In 1909 a canvas showed that every member identified with the organization was not only a stockman, but a farmer as well. The evolution was complete.

The change into farm conditions made possible a still greater improvement in the stock, and in 1905 the State Cattle Growers' Association promoted the inauguration of a big stock show at Denver. The object of this exhibition was to enable the stockmen to compare results of their efforts in improved stock-breeding. The first show was held in January, 1906, in tents, at the Denver stock yards. So enthusiastic were the stockmen over the success of this first effort that a permanent organization was perfected, and the "Western Stock Show Association" was incorporated, with a membership of 500. In January, 1907, another show was held, even greater than the first, and although the exhibits crowded all the facilities provided, it was not until 1908 that the Stock Yards Company agreed to erect permanent buildings for the purpose. A great amphitheatre was erected, with a large arena, around which was seating capacity for nearly 10,000 spectators. In 1909, the show was held in its new quarters, and was turned into a national affair, with a great horse-show and horse-fair as additional attractions to the public. The show has now become a permanent institution, and is accomplishing a great work in securing the steady and constant improvement of the live stock of the State and of the whole West; and also is doing its share in establishing Denver as the live-stock center for the whole intermountain country.

At the present time every branch of the live-stock business is firmly established in Colorado, and the reports from the Denver banks show that the daily clearings from transactions in live stock are greater than from any other single industry in the State.

In 1870, the best estimates of the number and value of live stock then in Colorado was as follows: Cattle 200,000, valued at \$3,000,000; sheep 760,000, valued at \$1,520,000; horses 21,000, valued at \$630,000. In 1909, the number of cattle had increased to about 1,300,000 head, valued at \$37,000,000; sheep had increased to 1,868,000, valued at \$5,600,000; horses had increased to 280,000, valued at \$25,000,000; and hogs were estimated at 560,000 head, valued at \$5,700,000; making a total valuation on the domestic live-stock of the State of more than \$75,000,000, as against about \$5,000,000 in 1870.

These figures tell the story of the development of live-stock raising as an industry in Colorado as briefly as it could be done. The industry has no more than started upon the new era of modern methods, and there is every reason to believe that the development of the next forty years will be fully as great as during the past.

CHAPTER XXVIII.

THE COUNTY DIVISIONS OF COLORADO.—COUNTIES FORMED UNDER THE STATE GOVERNMENT.—EDUCATIONAL, BENEVOLENT AND REFORMATORY INSTITUTIONS OF THE STATE.—UNIVERSITY OF COLORADO.—EARLY LEGISLATION ON THE SUBJECT OF THE UNIVERSITY.—CONSTITUTIONAL PROVISIONS FOR THE INSTITUTION.—ITS BEGINNING AND EXPANSION.—STATE AGRICULTURAL COLLEGE.—TERRITORIAL LEGISLATION IN RELATION TO IT.—ITS ESTABLISHMENT UNDER THE STATE GOVERNMENT.—SUCCESSFUL CAREER OF THE COLLEGE.—THE SCHOOL OF MINES.—HERITAGE FROM TERRITORIAL TIMES.—HISTORY OF ITS INCEPTION, ORGANIZATION AND DEVELOPMENT.—PRESENT MAGNITUDE AND CONDITION OF THE ESTABLISHMENT.—INSTITUTE FOR THE BLIND AND MUTE.—ITS ORIGIN IN THE TERRITORIAL PERIOD.—FOUNDED AS A SCHOOL FOR MUTES, ONLY.—TERRITORIAL LEGISLATION TO ESTABLISH THE SCHOOL.—ITS LOCATION AT COLORADO SPRINGS FIXED BY LAW.—EARLY STATE LEGISLATION IN BEHALF OF THE SCHOOL.—BENEFICENT WORK OF THE INSTITUTE.—THE STATE NORMAL SCHOOL AT GREELEY.—HISTORY OF ITS RISE AND PROGRESS.—SOURCES OF ITS REVENUES.—ITS HIGH STANDING AS A TRAINING SCHOOL FOR TEACHERS.—STATE NORMAL SCHOOL AT GUNNISON.—PRESENT CONDITION OF THE INSTITUTION.—STATE INDUSTRIAL SCHOOL FOR WAYWARD BOYS.—ITS GREAT USEFULNESS.—STATE INDUSTRIAL SCHOOL FOR WAYWARD GIRLS.—FORMERLY A TROUBLESOME INSTITUTION.—STATE HOME FOR DEPENDENT AND NEGLECTED CHILDREN.—STATE HOME FOR SOLDIERS AND SAILORS.—THE STATE ASYLUM FOR THE INSANE.—PROVISIONS OF LEGISLATION UNDER WHICH IT WAS ESTABLISHED.—THE STATE PENITENTIARY.—ITS ORIGIN IN THE TERRITORIAL PERIOD.—CHARACTER OF THE PRISON.—THE STATE REFORMATORY AND ITS BENEVOLENT PURPOSES.

When Colorado became a State its area was, as the reader will recall, divided into twenty-six counties, viz: Arapahoe, Bent, Boulder, Clear Creek, Conejos, Costilla, Douglas, Elbert, El Paso, Frémont, Gilpin, Grand, Hinsdale, Huerfano, Jefferson, Lake, La Plata, Larimer, Las Animas, Park, Pueblo, Rio Grande, Saguache, San Juan, Summit, and Weld. Since that time thirty-four more have been formed, thus raising the number of the State's county-divisions to sixty, the process of dismembering and readjusting the areas of the Territorial counties having left but two or three of these with their original boundaries.

The rapid development of Colorado's natural resources that followed Statehood gave rise to a general requirement for new county organizations, especially during the '80s, in which decade two-thirds of the additional divisions were formed. But the various changes in county areas that were made in fixing the boundaries of the bailiwicks organized under the State Government are details into which it is inexpedient here to enter. The county divisions that have been established since 1876, together with the date of approval of the organic act for each, are as follows:

Adams; April 15, 1901.

Archuleta; April 14, 1885.

Baca; April 16, 1889.

Chaffee; February 8, 1879.

Cheyenne; March 25, 1889.

Custer; March 9, 1877.

Delta; February 11, 1883.

Denver (coextensive with the area of the City of Denver); by an amendment of the State Constitution, made pursuant to an act by the Thirteenth General Assembly, approved on March 18, 1901, to submit the amendment therein proposed to the electors of the State, and which was ratified by these at the general election held on November 4, 1902.

Dolores; February 19, 1881.

Eagle; February 11, 1883.

Garfield; February 10, 1883.

Gunnison; March 9, 1877.

Jackson; May 5, 1909.

Kiowa; April 11, 1889.

Kit Carson; April 11, 1889.

Lincoln; April 11, 1889.

Logan; February 25, 1889.

Mesa; February 14, 1883.

Mineral; March 2, 1893.

Montezuma; April 16, 1889.

Montrose; February 11, 1883.

Morgan; February 19, 1889.

Otero; March 25, 1889.

Ouray; January 18, 1877. By an act approved on February 27, 1883, this county as then constituted was divided into two counties. The name "Ouray" was retained for the western and much the larger division (now San Miguel County), and that of "Uncompahgre" was given to the eastern, to which an extension northward was added. By an act approved three days later (March 2d), the name of Uncompahgre County was changed to "Ouray", and that of the Ouray County of the act of February 27th was changed to "San Miguel".

Phillips; March 27, 1889.

Pitkin; February 23, 1881.

Prowers; April 11, 1889.

Rio Blanco; March 25, 1889.

Routt; January 29, 1877.

San Miguel; see Ouray County, above.

Sedgwick; April 9, 1889.

Teller; March 23, 1899.

Washington; February 9, 1887.

Yuma; March 15, 1889.

The present Arapahoe County consists of what was left of the original county of that name after the latter was dismembered by the county-making legislation of 1901, under which the new counties of Adams and Denver came into existence, and which attached a large area of the original Arapahoe to Washington and Yuma counties.

That the future will require the formation of additional counties is far beyond doubt; and it is highly probable that Weld, together with the northwestern counties of Routt, Rio Blanco, and Garfield, will be subdivided within a few years.

The educational, benevolent, and reformatory institutions that are maintained by the State of Colorado are equal in all respects to those of

many of the older States of the Union that have a larger population, and surpass those of some of these.

Foremost among the State's educational establishments stands the University of Colorado, at the city of Boulder, and which truly is all that its name implies—an institution for superior instruction. While its entrance upon its career of usefulness was delayed by unavoidable circumstances until after Colorado had been admitted into the Union, the history of the University runs back into the year in which the Territory of Colorado was authorized and organized. In "Article I.", of an enactment by the Territory's First Legislative Assembly "to establish the University of Colorado", approved by Governor William Gilpin on November 7, 1861, provisions therefor were made as follows:

"That there shall be hereby created and established, a fund to support a Territorial University, for the promotion of literature, and of the arts and sciences, to be denominated the Seminary Fund; which shall consist of all moneys arising from the sale of all lands which may be donated by the Congress of the United States for seminary purposes, and all money which may be donated for that purpose from any and all sources, and the interest, dividends, profits and proceeds of such lands and moneys, except such distribution as shall be authorized by law.

"The Seminary Fund shall be and remain a permanent fund for the promotion of literature, and of the arts and sciences, and so much income thereof shall be added to, and become a part of the fund, as shall not be appropriated hereafter by law.

"So much only of the income of the Seminary Fund shall be appropriated in every year, as shall be necessary for the purposes to which the applications thereof shall be authorized by law, and the residue shall be added to, and become a part of, the permanent fund, which shall never be lessened or impaired."

The first and second sections of "Article II.", of this enactment, contain the following:

"That an institution of learning is hereby created, authorized, established and instituted, at the city of Boulder, in the Territory of Colorado, to be designated and known as the 'University of Colorado', designed to promote and encourage the diffusion of knowledge, in all the branches of learning, including the scientific, literary, theological, legal and medical departments of instruction.

"That for the government of said University, the following persons, to-wit: D. P. Walling[ford], J. Feld, A. O. Patterson, A. A. Bradford, Wm. Gilpin, Edwin Seudder, C. Dominguez, Byron M. Sanford, William Hamind, J. B. Chaffee, Chief Justice B. F. Hall, Amos Steck, Jesus M. Barela, G. F. Crocker, J. S. Jones, M. Goss, and their successors in office, are hereby created a body politic and corporate, and shall have perpetual succession, and a common seal; and in their corporate capacity, may sue and be sued, plead and be impleaded, defend and be defended, in any court of law or equity in this Territory."

After having specifically defined various duties which certain of the Territorial officers should perform in connection with the formation and maintenance of the Seminary Fund, the second article of the act provided further:

"That so soon as the necessary funds can be raised, by donation from Congress, the Territory, or individuals or otherwise, as will justify, in the opinion of the Board of Trustees, a commencement of the purpose of said University, they may then proceed to erect buildings and make all preparations, necessary for instruction in one, two, or all of the departments of learning hereinbefore set forth."

However, the adverse general state of affairs in the Territory which was caused by the Civil War, together with the retarding economic conditions that continued to exist in Colorado for several years after that con-

flict, prevented any effective preparation for "a commencement of the purposes of said University" during that decade. But in the meantime there was some additional legislation on the subject by the Territorial lawmakers. In the revision of the Territorial statutes, in 1868, by the Seventh Assembly, the act of 1861 was amended in several particulars, none of which is of much interest from the historical point of view. Of an act of the Eighth Assembly, approved on January 25, 1870, "to amend an Act entitled 'An Act to establish the University of Colorado', approved November 7th, A. D. 1861, and further to amend Chapter Eighty-seven of the Revised Statutes of Colorado" (of 1868), the following are the more important provisions:

"That sections one and two of Article second, of the said act of 1861, are hereby amended as follows to-wit: That said institution of learning is established, and may be located at or near Boulder City, in Boulder County, Colorado Territory, as contemplated in said act, and that for the management, government, control and location of said institution, the following persons are hereby added to the board of trustees named in said section of said act to-wit: John H. Wells, G. Burkley, Thomas J. Graham, James M. Smith, of Larimer County, and Amos Widner, and that said persons and their successors in office shall hereafter constitute the said board.

"That section fifth of said act is hereby so amended as to authorize any one of said board to give notice of the time and place for holding the first meeting of said trustees, and that seven of said members shall constitute a quorum to transact business, and to locate or authorize the location of said institution."

The Board of Trustees as constituted by this enactment practically was a new organization, under which the contemplated University received its first physical foundation. The latter was the gift by three citizens of Boulder, in 1871, of fifty-two acres of land adjoining that city, and which then were valued at \$5,000. With this acquisition further progress rested until the year 1874, when the Tenth Legislative Assembly, by "An Act Concerning the University of Colorado", approved on February 6th, of that year, the sum of \$15,000 was appropriated "to aid in erecting buildings and making other improvements on the grounds now belonging to said institution near Boulder". But this appropriation was subject to the condition that "when the Board of Trustees of said University shall have raised by subscription, donation, or otherwise, the sum of ten thousand dollars, in cash paid in to the Treasurer of said Board, then the Auditor shall draw a warrant upon the Treasurer of this Territory in favor of the Treasurer of said Board of Trustees, for the sum of ten thousand dollars, and when said Board of Trustees shall have raised an additional sum of five thousand dollars, in the manner above described" the Trustees were to receive from the Territorial Treasury the remaining five thousand dollars appropriated by the act. The people of Boulder, at whom these financial requirements were aimed, promptly complied with them by raising the specified sums by popular subscriptions.

Colorado's early admission into the Union of States now was expected confidently, and there was an assurance that Congress, following its time-honored precedents, would grant to the new State a generous land-endowment for the University. The Federal measure "to enable the people of Colorado to form a constitution and State government", under which the change was made, became a law on March 3, 1875: and among its provisions was one that gave seventy-two sections, or square miles, of public land "for the use and support of a State University".

In the autumn of that year the Trustees of the University began the construction of the first of the institution's buildings, the corner-stone of which was laid on September 20th. To forward the work thus begun, the Eleventh (and last) Territorial Assembly, by an act that was approved on February 11, 1876, appropriated \$15,000 to be used in part for completing and furnishing the initial structure, and in part for maintaining the institution during the first year of its activity.

For the formal transfer of the University and other Territorial seats of learning from the Territory to the State, the Constitution of the State, ratified by the people of the Territory on July 1, 1876, Section 5 of Article VIII, provided as follows:

"The following Territorial institutions, to-wit: The University at Boulder, the Agricultural College at Fort Collins, the School of Mines at Golden, the Institute for the Education of Mutes at Colorado Springs, shall, upon the adoption of this Constitution, become institutions of the State of Colorado, and the management thereof subject to the control of the State, under such laws and regulations as the General Assembly shall provide; and the location of said institutions, as well as all gifts, grants and appropriations of money and property, real and personal, heretofore made to said several institutions, are hereby confirmed to the use and benefit of the same respectively; *Provided*, This section shall not apply to any institution, the property, real or personal, of which is now vested in the trustees thereof, until such property be transferred by proper conveyance, together with the control thereof, to the officers provided for the management of said institution by this Constitution or by law."

For the control and management of the University, Sections 12, 13 and 14 of Article IX., the Constitution made these provisions, which remain unchanged:

"There shall be elected by the qualified electors of the State, at the first general election under this Constitution, six Regents of the University, who shall immediately after their election be so classified, by lot, that two shall hold their office for the term of two years, two for four years and two for six years; and every two years after the first election there shall be elected two Regents of the University whose term of office shall be six years. The Regents thus elected, and their successors, shall constitute a body corporate, to be known by the name and style of 'The Regents of the University of Colorado'.

"The Regents of the University shall, at their first meeting, or as soon thereafter as practicable, elect a President of the University, who shall hold his office until removed by the Board of Regents for cause; he shall be *ex officio* a member of the Board, with the privilege of speaking, but not of voting, except in cases of a tie; he shall preside at the meetings of the Board, and be the principal executive officer of the University, and a member of the faculty thereof.

"The Board of Regents shall have the general supervision of the University, and the exclusive control and direction of all funds of, and appropriations to, the University."

The First General Assembly of the State, by an act that was approved on March 15, 1877, further defined the authority and duties of the Board of Regents, and declared the object of the University to be "to provide the best and most efficient means of imparting to young men and women, on equal terms, a liberal education and thorough knowledge of the different branches of literature, the arts and sciences, with their varied applications". That Assembly also provided for the support of the institution by the levy of a tax of one-fifth of a mill upon all taxable property in the State; and for the beginning and maintenance of the permanent fund that was to be derived from the sale or rental of the lands that had been granted by the United States for the benefit of the University.

The first Board of Regents, chosen at the first State election, on October 3, 1876, consisted of Junius Berkley and L. W. Dolloff, of Boulder; F. J. Ebert and George Tritch, of Denver; C. Valdez, of Conejos; and W. H. Van Geison, Del Norte. The Board as thus constituted elected Joseph A. Sewall, formerly Professor of Chemistry in the State Normal School of Illinois, to be President of the University. Preparatory and College departments were organized by him, and with which the institution was opened on September 5, 1877.

The work of the University was continued with these two departments until the year 1883, when a Medical School was added. A Law School was established in September, 1892, at which time graduate courses first were formally offered to students, and a gradual withdrawal of the preparatory classes was begun. Next came the College of Engineering, which was opened in 1893. Further development rested until the year 1904, when the Summer School was established. This was followed, in September, 1906, by the College of Commerce. The Preparatory School was discontinued in 1907; and in 1908 the Department of Education was organized as a College of Education.

The University's edifices consist of a Main Building, the President's House, the Hale Science Building, a Library Building, Woodbury Hall, the Woman's Building, the Woman's Cottage, a Gymnasium, the Old Anatomy Building, a Chemistry Building, an Engineering Building, a Law Building, the Shops Building, the Medical Building, a Hospital, the Nurses' Home, and a building from which heat, light, and power are supplied to the group, each member of which is of dignified architecture, substantial construction, and completely equipped for its purposes. Provisions for the immediate erection of two other structures, an Auditorium and a Science and Museum Building, had been made at the time in which these lines were written.

The financial support given the University by the State consists of proceeds from an annual tax-levy and of special appropriations as occasion therefor may arise. In several instances generous special allowances of funds have been made by the Legislature for erecting buildings and for other improvements. The regular tax-levy of one-fifth of a mill was continued until 1903, when the General Assembly increased it to two-fifths of a mill, at which it stands at present. For the years 1883 and 1884 the Legislature authorized an extra levy of one-fifth of a mill; and for the year 1893 a like levy of one-tenth of a mill was granted.

The seat of the University is upon the southward side of the city of Boulder, and from which an inspiring view is presented. The great ranges of the Rockies rise from the plain at a distance of about one mile to the west; and in the opposite direction the eye beholds the beautiful and highly-cultivated Boulder Valley, dotted here and there by lakelets, and seamed by the courses of small streams as well as by the less devious lines of irrigating waterways.

The State Agricultural College, at Fort Collins, in one of our rich agricultural districts, also was, as we have seen in the citation from Article VIII., of the State Constitution, a heritage from Territorial times. Its foundation was laid by the Eighth Legislative Assembly, in an act, approved February 11, 1870, "for the establishment and location of an Agricultural College", and of which the provisions were as follows:

"Section 1. There shall be established an agricultural college to be called and named the 'Agricultural College of Colorado', which College shall be located in the County of Larimer, at or near Fort Collins.

"Sec. 2. James M. Smith, Timothy M. Smith, John Wheeler, Hugh Munson, Jesse M. Sherwood, B. T. Whidbee, Samuel Ashcraft, H. B. Bierce, G. Burkley [Berkley], J. T. Lynch, M. Lucero, and Samuel H. Elbert, are hereby appointed Trustees of said 'Agricultural College of Colorado'.

"Sec. 3. The said Trustees or any five of them shall within one year from the passage of this act, call a meeting, organize, and determine upon and select the location of said 'Agricultural College of Colorado', as near said Fort Collins as practicable.

"Sec. 4. The said 'Agricultural College of Colorado' is hereby empowered to receive and hold real estate, and when necessary it may by its Trustees, or a majority of them, convey the same or a portion thereof. *Provided*, however, that all real estate acquired or conveyed as aforesaid shall only be done to carry out the legitimate object and the purposes for which said college is hereby organized and established.

"Sec. 5. The Trustees appointed by this act are hereby invested with all necessary power and authority to completely carry out the purposes of this act, to purchase, acquire, and dispose of all necessary personal property; to make provisions for the erection and construction of sufficient and appropriate buildings; to organize said college; to establish rules and regulations for its government, and to employ a sufficient number of Professors and tutors.

"Sec. 6. The said Trustees shall, at their first meeting, elect one of their number as President, who shall hold his office for one year. It shall be the duty of such President to call meetings of the Trustees, preside over their meetings, and to exercise a general supervision over the affairs of said college. And at each annual meeting thereafter they shall again elect a President from among their number. Nothing herein contained shall be so construed as to prevent the re-election of the incumbent."

The Ninth Legislative Assembly, seeming to have believed that the Board of Trustees, as appointed by the foregoing act, had not been sufficiently vigorous, reorganized it by an act, approved on February 9, 1872, "to amend Section Two of an act entitled 'An Act for the Establishment and Location of an Agricultural Society'" [College]. The following is the language of the new enactment:

"Section 1. That section two of an act entitled 'An Act for the establishment and location of an Agricultural College' (Laws of A. D. 1870), be and the same hereby is repealed, and the following inserted in lieu thereof:

"T. M. Smith, H. C. Peterson, J. M. Sherwood, B. H. Eaton, A. H. DeFrance, Samuel H. Elbert, J. Marshall Paul, A. T. Howes, Granville Berkley, A. K. Yount, George M. Chilcott, B. F. Whidbee, are hereby appointed trustees of said Agricultural College of Colorado."

Three public-spirited citizens of the then infantile municipality of Fort Collins donated to the Territory for the purposes of the proposed College a tract of land embracing two hundred and forty acres, which adjoined the town. But aside from this acquisition nothing of importance was accomplished toward establishing the institution at that time.

However, as the gift of land had provided a tangible basis upon which to proceed with further preparations, the Tenth Territorial Assembly, by "An Act Concerning the Agricultural College of Colorado", that was approved on February 13, 1874, but which did not take effect until the first day of the next year, made the first appropriation of money—which was conditional—to aid in establishing the College. The following are the sections of the law that pertain to this:

"Section 1. That the sum of one thousand (\$1,000) dollars be and the same is hereby appropriated to aid in erecting buildings and making such other improvements on the grounds belonging to said institution at Fort Collins, in the county of Larimer, in said Territory, as the Trustees thereof may deem necessary.

"Section 2. When the board of trustees of said College shall have raised by subscription, donation, or otherwise, the sum of one thousand (\$1,000) dollars in money, and shall have expended the same on buildings and grounds, then the Auditor of the Territory shall draw a warrant on the Territorial Treasurer in favor of the Treasurer of said Board of Trustees for the sum of one thousand (\$1,000) dollars, to be paid out of any money in the Territorial Treasury not otherwise appropriated."

Section 5 provided that "each county in this Territory shall be entitled to send to said College, tuition free, one pupil; said pupil to be selected by competitive examination before the county school superintendent and awarded to the highest scholarship". The other sections of the act dealt with the subject of the surety-bond, responsibilities, and duties of the Trustees' Treasurer.

During the short period between the time of this enactment and the close of the Territorial era but little progress was made toward consummating the purposes of the legislation by the Territorial Assemblies: and it appears that the Trustees were unable to comply with the requirement of the act of February 13, 1874, as to raising "by subscription, donation, or otherwise, the sum of one thousand dollars" with which to begin making improvements upon the land that had been given to be the site of the College. Moreover, some members of the Board removed from the Territory, and later the death of the President of that body reduced its membership to fewer than a quorum. Therefore the work of establishing the College was left to be carried to completion under the auspices of the State Government.

The State Constitution gave the College an independent existence, and fixed its location at Fort Collins. The next legislation in behalf of the institution was by the State's First General Assembly, by "An Act to establish a State Board of Agriculture and to define its Duties", approved on February 27, 1877, and which took effect immediately. This act abolished the Board of Trustees, which had become impotent, and created in its stead a State Board of Agriculture, which was to have, and still has, general control and supervision of the affairs of the College. The law provided that the new Board should consist of eight members, to be appointed by the Governor of the State; and also that the Governor and the President of the institution should be, *ex officio*, members of the organization. These provisions of the act have remained unchanged to the present time.

By "An Act to provide a Fund for the Building and Maintenance of the Agricultural College of Colorado", approved on March 9, 1877, the First General Assembly authorized a tax of one-tenth of a mill on all taxable property in the State, and which was "to be known as the agricultural college tax". This law further provided that "the fund so created shall be applied exclusively for the building and support of the agricultural college of this State"; that "whenever there shall be any money in the hands of the state treasurer to the credit of the agricultural college fund, deemed sufficient by the state board of agriculture, to commence the erection of an agricultural college, the auditor of State is hereby authorized to draw his warrant upon the treasurer of State, in favor of the treasurer of the said board of agriculture, in such sums as said board shall deem necessary to

carry on the erection or running expenses of said college"; and that "this act shall not take effect unless the fee simple title to the real estate known as the agricultural-college of Colorado shall, within ninety (90) days from the passage of this act, be vested in said state board of agriculture free of any condition whatever".

The enactments by the State's First Assembly opened the way to active preparations for bringing the College into practical existence. The cornerstone of the Main Building was laid on July 29, 1878; and in the first half of the next year the structure was completed and made ready for use. The institution was opened on September 1, 1879; and ere the close of the initial term twenty students had been enrolled.

Early in that year, the Second General Assembly increased the general tax-levy for the maintenance of the College from one-tenth to one-fifth of a mill, at which sum it has stood since that time. Later Assemblies have made occasional special appropriations for special purposes, among which were \$28,500 for the biennial period of 1905-06 and \$27,500 for the period of 1907-08 for extending the work of the Experiment Station.

By the operation of an act of Congress that was approved on July 2, 1862, the College received an endowment of 90,000 acres of public land. The purpose of this act was to aid States, by such grants, to establish and maintain colleges in which "the leading object shall be, without excluding other scientific and classical studies, and including Military Tactics, to teach such branches of learning as are related to agriculture and the mechanic arts in such manner as the Legislatures of the States may respectively prescribe, in order to promote the liberal and practical education of the industrial classes in the several pursuits and professions of life".

The aid provided by this law for founding and maintaining State colleges for teaching branches of learning relating to agriculture, was amplified by Congress in an act, approved on March 2, 1887, "to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto". Under the terms and conditions of this enactment, and of those of a later measure, which was introduced by Representative William H. Hatch, of Missouri, and became a law on February 7, 1888, making an appropriation to carry into effect the act of March 2, 1887, our Agricultural College now receives annually from the United States Treasury the sum of \$15,000, to be used for conducting agricultural investigations and experiments and for the diffusion of knowledge that may be gained by these. It was in consequence of this enactment that the Experiment Station was organized as a department of the College. The College also shares in the benefits afforded by a law of Congress, enacted in 1906, supplementary to the act of 1888, and which grants an additional fund to State and Territorial Stations, but for use only for original research in agriculture. The law appropriated to each of such stations the sum of \$5,000 for the year 1906, and provided that the contribution should be increased annually by the sum of \$2,000 until the maximum of \$15,000 was attained, at which figures it was to become a permanent revenue to each of the several stations. The maximum will be reached in 1911.

Beside the sources of income that have been mentioned above, the College receives for the maintenance of its Experiment Station some financial assistance that is appropriated by the State Board of Agriculture from funds directly under its control.

The College is situated at the southward side of Fort Collins, which now is a flourishing city. The land-holdings of the institution have been enlarged greatly since it was founded. These consist of the College Farm proper, containing 480 acres, all under close cultivation; a tract of 153 acres, half a mile distant from the College buildings, which is used mainly for experiment work; and 1,300 acres of grazing land at the foot-hills, near the city. The College edifices consist of the Main Building, a Chemical Laboratory, a Horticultural Hall, an Agricultural Hall, a Mechanical Engineering Building, a Mechanical Engineering Laboratory, a Civil and Irrigation Building, a Zoology Building, a Domestic Science Building, a Lavatory Building, a Live Stock Pavilion, Green Houses and Forcing Houses, and various minor structures. The College buildings proper are commodious and handsome, with environments that are exceedingly attractive.

The work of the College is conducted in harmony with the spirit as well as the letter of the laws of the State relating to it. In one section of these it is said that the design of the institution

"is to afford a thorough instruction in agriculture and the natural sciences connected therewith. To effect that object most completely, the institution shall combine physical and intellectual education, and shall be a high seminary of learning, in which the graduates of the common schools, of both sexes, can commence, pursue, and finish a course, terminating in thorough theoretical and practical instruction in those sciences and arts which bear directly upon agriculture and kindred industrial pursuits."

The courses which the College now offers are Agriculture, Civil and Irrigation Engineering, Domestic Science, Electrical Engineering, General Science for Women, Horticulture, Mechanical Engineering, Veterinary Science, and Forestry. Provisions also are made for the most efficient instruction in Music, Oratory, and Physical Culture.

The present high development of agriculture in the irrigated sections of Colorado and the prolific results thereof largely are due directly to the workings and influences of our Agricultural College.

The School of Mines, at Golden, is another of the State's educational institutions that had its inception in Territorial times. The first of our Territorial legislation on the subject of such a school was by the Eighth Legislative Assembly, in "An Act to Establish a School of Mines", approved on February 10, 1870, and which reads as follows:

"Section 1. That the sum of three thousand eight hundred and seventy-two and 45-100 dollars, now in the hands of the Treasurer of the territory, to the credit of the special school fund and derived from the sale of school mining claims, be and the same is hereby appropriated for erecting and furnishing a brick building for the use of a school of mines, to be connected with and to form a part of Jarvis Hall, a collegiate institution located in Golden City.

"Sec. 2. That the moneys hereby appropriated shall be expended by the board of commissioners hereinafter provided for, in such proportion as they may deem proper, for the erection of the building and for the purchase of such fixtures and apparatus in connection with a laboratory as may be necessary for the instruction of students in chemistry, mineralogy, metallurgy and geology.

"Sec. 3. That a board of commissioners, consisting of the Right Rev. George M. Randall, John Armor, of Denver, Arapahoe county, Colorado territory, and Charles C. Welch, of Golden City, Jefferson county, Colorado territory, are hereby appointed for the execution of this trust, who shall annually report to the Governor the condition of the property pertaining to the school of mines, which report shall be laid by the Governor before the legislative assembly at its next succeeding session.



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"Sec. 4. That the said commissioners shall receive no compensation for their services from the territory; and all vacancies which may happen in the said board of commissioners shall be filled by the appointment by the Governor.

"Sec. 5. All acts and parts of acts inconsistent with this act, are hereby repealed."

"Jarvis Hall", with which the proposed School of Mines was to enter into a partnership, under the provisions of the foregoing act, was a school for boys that had been established through the instrumentality of Bishop George M. Randall (appointed in the act as a member of the Board of Commissioners), of the Protestant Episcopal Church, and which had been so named in honor of George E. Jarvis, of Brooklyn, New York, who had defrayed the larger part of the cost of erecting the building. The cornerstone of the Hall was laid by Bishop Randall on September 23, 1868; and the structure was almost completed when, in the night of November 23, 1869, a wind-storm wrecked it. By prompt financial assistance the Bishop was enabled to rebuild; and the school was opened in October, 1870.

A corner of the campus of Jarvis Hall was assigned for the site of the School of Mines, and with the funds appropriated by the initial law the Board of Commissioners constructed thereon a small brick building, of two stories and an attic, for use by the School, but were unable to equip it with mechanical appliances and other apparatus necessary to its purposes. So the future of the institution was left depending on further action by the Territorial legislators.

In the meantime, Bishop Randall had instituted a theological school upon another part of the campus. In response to the Bishop's solicitation, Nathan Matthews, of Boston, had contributed funds sufficient to construct a handsome building—"Matthews Hall"—for use by the new school, which was formally opened on September 19, 1872, for the reception of students.

The Tenth Legislative Assembly came to the relief of the stalled School of Mines. It dissolved the partnership with Jarvis Hall, made the School a Territorial institution, substituted a Board of Trustees in the stead of the Board of Commissioners, and provided means for equipping the building and for placing the establishment upon its feet. This was done by "An Act to Establish a School of Mines, at or near Golden, Jefferson County, Colorado", approved on February 9, 1874. The more important provisions of this law are as follows:

"That there shall be established at, or near, Golden, in the County of Jefferson, a School of Mines, to be under the control and management of the Territory of Colorado, as shall be hereinafter designated.

"Such School of Mines is hereby declared a body corporate, and may sue and be sued, may take and hold real estate by gift, bequest, devise or purchase, and may, if not needed for such School of Mines, sell and dispose of the same.

"It shall be the object of such School of Mines to furnish facilities for the education of such persons as may desire to receive special instruction in chemistry, metallurgy, mineralogy, mining, mining engineering, mathematics and mechanics.

"There shall be seven Trustees, namely: W. A. H. Loveland, Alpheus Wright, N. P. Hill, W. W. Ware, C. C. Davis, J. Marshall Paul and William Amsbary, who shall compose the Board of Trustees of said School of Mines, and said Trustees shall, on or before the first (1) day of June, 1874, meet at Golden and organize as a Board of Trustees, with one of their number as President of the Board.

"The Board of Trustees are authorized to erect suitable buildings for such School of Mines, to procure such machinery and other appliances as may be

necessary and requisite to carry out the intention of this Act, out of any moneys that may be appropriated for that purpose.

"The School of Mines shall be open to any inhabitant of the Territory of Colorado, without regard to sex or color, and with the consent of the Board of Trustees students may be received from the States or other Territories.

"All the property of such School of Mines shall be under the charge and control of the Board of Trustees.

"There is hereby appropriated out of any money in the Territorial Treasury, not otherwise appropriated, the sum of five thousand dollars, to be used in the completion of the building now erected at or near Golden, known as the building of the School of Mines, and in furnishing the laboratory with such articles as may be necessary to carry out the provisions of this act. Said sum of money shall be paid to the President of the Board of Trustees immediately after the organization of such Board, and it is hereby made the duty of the Territorial Treasurer to pay said sum of five thousand dollars to the President of the said Board of Trustees immediately after the organization of said Board.

"No part of the said sum of five thousand dollars shall be paid to the President of said Board of Trustees until the title to the building now erected near Jarvis Hall, near Golden, and known as the School of Mines, shall be vested in the said School of Mines, including five acres of land adjoining and near said building.

"The said Board of Trustees may, out of the said five thousand dollars received, pay to the authorities of Jarvis Hall any advances made and used in constructing the building now known as the School of Mines; *Providing*, Said sum so to be paid shall not exceed the sum of five thousand dollars.

"If said property and building, known as the School of Mines building, is not deeded over to said Board of Trustees, on or before the expiration of six months from the passage of this act, then this act, and provisions thereof, shall be null and void, and the money so appropriated shall revert back to the Territory."

The law further provided that "should a majority of the Trustees fail to meet at Golden before the first day of June, 1874, such organization may be made at any subsequent time, when no less than four of said Trustees may meet"; and also that any vacancy in the Board should be filled by appointment by the Governor.

The Board of Trustees nominated in this act, and of which William A. H. Loveland became President, equipped the building during the summer of 1874, and the first session of the School was begun on September 15th, of that year, for a term that was to consist of three sessions, the last of which was to end on June 30, 1875. It appears that the sessions of the institution were not resumed in the autumn of 1875, as the Board of Trustees, in February, 1876, directed that the School "be reopened immediately". This was done on the fourth day of the next month; and since that time the work of the School has continued without interruption.

Among the great body of legislation by the State's First General Assembly was "An Act to provide for the Incorporation, Maintenance, Management and Support of the School of Mines", and which was approved on April 7, 1877. This law reaffirmed the corporate character and the purposes of the School, and created a new Board of Trustees, consisting of five members, who were named in the act as follows: William A. H. Loveland, Francis E. Everett, James T. Smith, Alpheus Wright, and N. P. Hill. The first three of these were to serve until February 1, 1881; and the other two until February 1, 1879. Vacancies in the Board were to be filled by appointments by the Governor. The act authorized an annual tax-levy of one-tenth of a mill for the support of the school, and provided for the transfer of title to its property from the Territorial Board to the new organiza-

tion within eighty days, as a condition precedent to the effectiveness of the law.

The School occupied its original building, which was inadequate to the purposes, only a few years longer, when it was removed to new quarters. Its two companions, Jarvis and Matthews Halls, having been totally destroyed by fire in April, 1878, their owners decided not to rebuild them, as it was now their intention to re-establish the homeless institutions in Denver. These events were the immediate causes of a change in the location of the School of Mines. Citizens of Golden proposed to donate a suitable tract of land lying in the southward part of their town as a site for the school. The offer was accepted, and the Second General Assembly made provisions for erecting a building thereon. This structure, known as "the building of 1880", was the first of the group of substantial edifices now occupied by the School.

Between that time and the present the institution has had a steady growth in buildings and equipment, in the number of students in attendance, and in educational strength and influence. Its buildings now consist of the Hall of Chemistry, which is a combination of the Building of 1880 and two others, one of the additional pair having been erected in 1882 and the second in 1890; the residence of the President, built in 1888; the Engineering Building, constructed in 1894; the Assaying Laboratory, a gift by Winfield S. Stratton, erected in 1900; the Mining and Metallurgy Building, or Stratton Hall, the cost of which mainly was defrayed by Winfield S. Stratton, built in 1903-04; the Heating, Lighting and Power House, completed in 1906; the Administration Building, a gift by Simon Guggenheim, constructed in 1906; a Carpenter Shop and a Machine Shop.

The principal financial support of the School now is derived from a tax-levy of one-fifth of a mill, known as the "School of Mines Tax", upon all taxable property in the State. To this resource the General Assembly has added special appropriations as necessity for them has arisen from time to time.

The Colorado School of Mines ranks with the most efficient of its kind in America. It is a thorough technical school, and has been of great usefulness to the varied mining industries of our State. Its departments of instruction embrace Mining, Metallurgy, Geology and Mineralogy, Civil Engineering, Mechanical Engineering, Electrical Engineering, Chemistry, Physics, and Mathematics.

The Institute for the Blind and Mute, at Colorado Springs, is yet another of the State's educational establishments that was born in the Territorial period. In the beginning it was a school for mutes only, the addition of instruction to the blind having been authorized and required by the State's First General Assembly. The legislation under which the Institute was founded was an act by the Territory's Tenth Legislative Assembly "to Establish a School for Deaf Mutes in Colorado Territory", and which was approved on February 13, 1874. Section 1, of that law, reads:

"There shall be organized and established at the town of Colorado Springs, El Paso County, Territory of Colorado, an Institution, the recognized object of which shall be: 1. The provision of a school wherein the deaf mutes of the Territory shall receive an education. 2. The provision of a home wherein the said deaf mutes shall receive necessary care and protection while pupils in said school."

The act appointed the following-named seven citizens of Colorado to constitute a Board of Directors, which should have control and general management of the Institute: James P. Maxwell, J. C. Thatcher, Dr. R. G. Buckingham, J. S. Wolfe, A. Z. Sheldon, Wilbur F. Stone, and Matthew France. Vacancies in the Board were to be filled by appointments by the Governor of the Territory. In further provisions of the act the Board was empowered to make suitable rules and regulations for the government of the school; the Institute was made a body corporate, with the usual powers, "under the name of 'Institute for the Education of Mutes'"; and the authority and duties of the Trustees were fully defined. The location of the Institute was determined by the act's section 13, which reads as follows:

"Whenever the citizens of the town of Colorado Springs and El Paso County shall donate to such Institute for the education of mutes, conditioned upon the erection of buildings thereon, a tract of land not less than five (5) acres, and within the corporate limits of the said town of Colorado Springs, then the Auditor of the Territory shall draw a warrant on the Treasurer of the Territory in favor of the Treasurer of the Institute for the education of mutes, for the sum of five thousand dollars (\$5,000), which amount is hereby appropriated for that purpose out of any moneys in the Treasury of the Territory not otherwise appropriated."

By "An Act to provide a Fund for the Maintenance and Education of the Deaf Mutes of Colorado", which also was approved on February 13, 1874, the Tenth Assembly required that an annual levy of one-fifth of a mill, for what was to be known as the "Deaf Mute Tax", be made upon all taxable property in the Territory.

The corporation that founded the city of Colorado Springs, and which at that time was commonly called the "Colorado Springs Company", donated the land required for the Institute's site, and which was finely adapted to the purpose.

The School was opened in April, 1874, in temporary quarters in a small frame dwelling, and with six pupils in attendance. But the Trustees erected a good but not large building upon the donated site in the year 1875, and which was occupied by the Institute on January 6, 1876—the year in which the Territorial period was ended.

By an act of the State's First General Assembly, "to create an Institute for the education of the mute and blind, provide for its support and management, and repeal all Laws for the organization, management and maintenance of the Institute for the Education of Mutes", approved on March 15, 1877, the school was taken over by the State, and its usefulness was widened by including in its future work, as indicated in the title of the act, the education of the blind. The law reaffirmed Colorado Springs as the Institute's location; vested its general supervision in a Board of Trustees, consisting of three persons, to be appointed by the Governor, and whose terms should be two years; and rather minutely specified the duties and responsibilities of the Trustees. Section 13 provides that "every blind or deaf and dumb citizen of the State, over four and under twenty-two years of age, shall be entitled to receive an education in said institute at the expense of the State". But in instances in which parents of pupils were able to do so, they were to pay for boarding and lodging their children a reasonable sum, as near the cost thereof as might be determined.

The Institute has been developed into one of the conspicuously successful schools of its kind in the United States, and has been of immeasurable

benefit to many hundreds of boys and girls whose physical defects are of a character that stirs the depths of human sympathy.

The original site of the Institute has been enlarged to twenty-four acres, which now form a beautiful park. Beside these school-grounds, the Institute possesses a farm, of one hundred and twenty acres, lying just outside the corporate limits of Colorado Springs. The school-buildings proper are the new Administration Building, the School Building, the Girls' Hall, the Industrial Building, the Hospital, the Domestic Science Cottage, and a Greenhouse. Each of these is substantial and handsome, and completely equipped for the uses to which it is put. The farm has a dwelling, dairy buildings, a barn, and several lesser structures.

The State Normal School at Greeley was authorized and founded by an act of the Seventh General Assembly "to establish, govern and maintain a State Normal School", and which was approved on April 1, 1889. Control and general management of the institution were lodged in a Board of Trustees, a body corporate, "to be known as the 'Trustees of the State Normal School'", and consisting of seven persons. Six of these were to be appointed by the Governor; and the seventh should be the State Superintendent of Public Instruction. Other provisions of the act which are of the greater interest here are contained in the following quotations from it:

"A State Normal School is hereby established at or near the city of Greeley, in the county of Weld and State of Colorado, the purpose of which shall be instruction in the science and art of teaching, with the aid of a suitable practice department, and in such branches of knowledge as shall qualify teachers for their profession; *Provided*, That a donation shall be made of a site for said State Normal School, consisting of forty acres of land, with a building erected thereon according to plans and specifications furnished by the State board of education, and to cost not less than twenty-five thousand dollars, ten thousand dollars of which shall be paid by the State as hereinafter provided.

"Said Normal School is hereby constituted an integral part of the public school system of this State, and shall stand upon the same basis as to apportionment of State school funds as union high schools, and shall be subject as such to the general supervisory powers vested by the Constitution in the State board of education.

"The State Normal School shall be open, subject to its regulations, to all persons resident in this State sixteen years of age and upward, without charge for tuition; and to other persons under such regulations as the board of trustees may prescribe. . . .

"There is hereby appropriated, out of any moneys not otherwise appropriated belonging to the general fund, the sum of twenty thousand (20,000) dollars, ten thousand (10,000) dollars for the completion of the school building and ten thousand (10,000) dollars for the purpose of furnishing the said Normal School building hereinbefore provided for, and for the purpose of carrying on the said school during the year 1890; *Provided*, That said appropriation shall not be available until the site mentioned in section one of this act shall have been donated, as therein provided, and shall be drawn only upon the order of the board of trustees of the State Normal School, approved by the State board of education."

The members of the first Board of Trustees were J. M. Wallace, Dr. Jesse Hawes, J. R. Flickinger, W. H. Meyer, J. W. McCreery, Isaac Gott-helf, and N. B. McCoy, who then was the State Superintendent of Public Instruction.

Citizens of Greeley promptly provided the required forty acres of land for the site of the School, and also complied with the stipulation relative to the first building. The Trustees co-operated with them, and early in the

autumn of 1890 had completed the structure, which was one of the wings of the present Main Building. The first school-year, which terminated on June 1, 1891, was begun on October 6, 1890, in that wing, with ninety-six students in attendance.

"At the beginning of the second year the school was reorganized and the course extended to four years. This course admitted grammar-school graduates to its freshman year, and others to such classes as their ability and attainment would allow.

"At a meeting of the Board of Trustees, June 2, 1897, a resolution was passed admitting only high school graduates or those who have an equivalent preparation, and practical teachers. This policy makes the institution a professional school in the strictest sense."

The principal part of the School's revenue now is derived from a general tax-levy of one-fifth of a mill for its support. The Legislature has made special appropriations for buildings and other improvements, and doubtless will continue to do so as needs therefor may occur. The Board of Trustees is constituted at present as it was in the beginning.

The School has attained an exalted standing both at home and abroad for the thoroughness of its work, which is done amid pleasant surroundings. Its site of forty acres of land now is a beautiful park, from which there is a fine view of the city of Greeley, and which is an appropriate setting for the institution's buildings. These are the Main Building, two hundred and forty feet in length, of red pressed-brick trimmed with red sandstone, and which is believed to be the equal of any other structure for like purposes in the United States; the Library Building, an elegant and spacious edifice; a handsome residence for the School's President; a large Greenhouse, built of cement, iron and glass; and a building that houses a modern equipment for heating the others.

Provision has been made for another State Normal School in Colorado, and which has been located in the city of Gunnison, on the Western Slope. This institution was authorized and established by an act of the Thirteenth General Assembly, approved on April 16, 1901. The law required "that a suitable tract of land, consisting of forty acres", be donated for the site of the School: that the Governor appoint three Trustees, "who shall select, approve and have charge of said site"; and appropriated \$2,500 "for the purpose of planting trees upon and improving said site". The forty acres of land were donated by citizens of Gunnison in 1901; and in 1902 the Trustees expended the appropriation as directed.

The combined effects of various but not serious causes have delayed further progress toward habilitating the Gunnison Normal School. But these will not continue longer to operate, as the Seventeenth General Assembly appropriated the sum of \$50,000 to be used in erecting buildings upon the site, which is located in a commanding position in the northeastern section of the city of Gunnison.

The State Industrial School, at Golden, which reclaims, educates, and trains in the arts and crafts, wayward boys too young to be regarded and treated as criminals, had its origin in an act of the Third General Assembly, and which was approved on February 12, 1881. The act provided for the appointment by the Governor of three citizens to constitute a Board of Control, which should manage the School; for purchasing the tract of land, at Golden, containing about five acres, that had formed the campus of the Episcopal schools, Jarvis and Matthews Halls, and upon which the

building erected for and used by the pioneer School of Mines was still standing; and appropriated \$5,000 for additional structures, and a separate fund for the operating expenses of the School.

Although financial means were narrowly limited, the members of the Board of Control, by utilizing the old building of the School of Mines and erecting some small structures, made the premises ready for occupation within a few months after their appointment, and the School was opened on July 16, 1881. In the beginning and until the middle of the next decade the School was an institution for both boys and girls in whom tendencies toward incorrigibility had developed; but since the autumn of 1895 its inmates have been boys only.

The School's capacity and equipment for fulfilling the purposes for which it was founded have been expanded year by year as needs have arisen, and now it is an establishment that is as complete, inviting, and wholesome in its influences as any of its kind that is maintained by other States of the Union. Its land-holdings have been increased greatly, and at present include a large farm. The School's buildings, all of which are of enduring construction, number a dozen or more, conspicuous among which are the Main Building, that is devoted to work-shops; Officers' Quarters, the Administration Building, and the Hospitals. The School has been admirably managed, and demonstrates in every year its eminent usefulness, not only to those who receive directly the benefits that it imparts so freely, but also to society at large. The direction of its affairs continues to be vested in a Board of Control, consisting of three members.

Our first legislation to provide for a separate industrial school for girls was that of an act of the Sixth General Assembly, approved on April 4, 1887. The law located the proposed institution "at or near Denver", and committed its supervision to a Board of Control, consisting of five members, to be appointed by the Governor, and of which four should be women. The establishment of the School was delayed by various obstacles until 1895, when, on October 1st of that year it was opened in a group of rented cottages in the town of Aurora, which adjoins the eastern limits of the Montclair section of Denver.

As these quarters, as well as their location, proved to be insufficient and generally unsatisfactory, the Eleventh Assembly, by an act that was approved on April 28, 1897, authorized the Board of Control to secure a suitable permanent location for the institution at or in the vicinity of Denver; and it also provided that in the membership of that body there should be three women, instead of four.

However, the Board was unable to acquire a desirable site with the means at its command, and this circumstance, together with other difficulties, rendered the legislation of 1897 ineffective. The Twelfth Assembly came to the relief of the School, in an act that was approved on April 18, 1899. This law authorized the State Board of Land Commissioners to lease to the School's Board of Control at a nominal sum a tract of land containing not less than forty acres located outside of but near to the city of Denver; and appropriated \$5,000 for the immediate needs of the Board and \$25,000 conditionally for erecting buildings upon the new site.

But these arrangements turned out to be impracticable: and as the Board was required to vacate the rented cottages that were occupied by the School, in March, 1900, it took the case into its own hands. Forty

acres of land, situated near the town of Morrison, which is not far from the southwestern limits of Denver, were acquired by a small payment in cash and with promises to pay the remainder. Upon the tract there was a large and well-constructed dwelling, which could be adapted to the purposes of the School. With a part of the appropriation of \$5,000 the Board made this property ready for occupation by the School, and removed the institution to it on August 2, 1900. These transactions of the Board later were duly confirmed, and the State took over the title to the land.

Until its removal to Morrison the Industrial School for Girls had been the most troublesome of all the minor institutions of the State to manage. But since it was located there a great change in that respect has been wrought, and the institution has been raised to a high standard. In the meantime several additional buildings of excellent workmanship and well appointed have been erected upon the premises, which, by these and other improvements have been made attractive and admirably suited to the uses to which they are put.

The State Home for Dependent and Neglected Children, in Denver, was founded by an act of the Tenth General Assembly, approved on April 10, 1895. The law provided that the general management of the Home should be by a Board of Control, consisting of five members, to be appointed by the Governor, and of whom a majority should be women; and it made an appropriation for the maintenance of the institution, not all of which, however, became available.

"It is, under the law, the duty of every county commissioner, when he finds in his district a child dependent, or in manifest danger, to take steps at once for its examination by the county judge, who is the officer designated to decide upon its eligibility, so that through the plan arranged for sending them from every county the benevolent purpose of the State may be carried out."

As the Board had no means with which to purchase property for the uses of the institution, a dwelling, at the intersection of Fairview Avenue and Bert Street, in "North Denver", was rented, and furnished as well as might be, and in which the Home was opened in March, 1896.

Within a few years these quarters became inadequate to the increasing needs, and therefore, in the year 1902, a property on South Clarkson Street, in the University Park section of Denver, was acquired for a permanent site for the institution, and upon which there were two large dwellings. The Home was removed to this location in October, of that year, and since that time several additional and handsome buildings for its accommodation, one of which is exclusively for school purposes, have been built adjacent to the original structures. The course of study here is the same as that of the Denver Public Schools of corresponding grade. In a recent report of the Home's Board of Control the following is said:

"The object of the State Home for Dependent and Neglected Children is that of giving a home to those who are dependent upon the public for support, maltreated and in environments of vice. All such are eligible, and under the State law should be committed by the County Court of the county in which they are living. . . . This is by no means a prison, reformatory or boarding school, but a home, and in every way possible we endeavor to have our children realize the fact. In a short time many of them become desirable for private homes, into which we place them on adoption or indenture."

Colorado also maintains a Home for disabled and indigent soldiers and sailors, which is situated about three miles east of the town of Monte Vista, in Rio Grande County. This institution was established by an act

of the Seventh General Assembly, approved on March 15, 1889, and was located upon a tract of land, embracing 160 acres, donated to the State by citizens of Monte Vista. The general management of the Home was placed by the law in the hands of a Board of Commissioners, of seven members, appointed by the Governor. With the moderate sum of money that was provided for the initial work the Commissioners made improvements upon the site sufficient to enable them to open the Home to a small number of the applicants for admission late in the autumn of 1891.

But further development of the institution's capacity was slow for several years thereafter. Since that interval, the premises have been improved greatly, and upon them there is now a group of fine buildings, all constructed of stone, and well adapted to the uses for which they were erected. The surroundings of these structures have been made inviting by landscape embellishments, and a part of the land is kept under a high state of cultivation.

The law provides for the admission into the Home of any soldier or sailor who has been honorably discharged from the volunteer military forces of the United States, and has been a resident of Colorado for one year next preceding the date of application for admission; and also, under certain specified circumstances, even those dependent on such soldiers and sailors. The Home's population is larger in the winter season than in that of summer, but the average number of its inmates in the present period is about two hundred. The chief executive officers of the institution are the Commander and the Adjutant.

The State Asylum for insane persons, in the city of Pueblo, originated under the State Government. Colorado had no asylum for the safe-keeping and treatment of victims of insanity during our Territorial times, in which period those afflicted by violent dementia were confined in jails, while others were placed in the few county infirmaries then existing or were left to the care of individuals who were directly interested in them by the ties of blood or friendship. Fortunately, the ratio of cases of dethroned reason in that period was small.

By an act approved on February 8, 1879, the State's Second General Assembly "established the Colorado Insane Asylum, for the treatment and cure of such persons as may become insane from any cause", and located the institution "at or near the city of Pueblo", provided that a site for it, "not to be less than forty acres", should be "donated to the State by the citizens of Pueblo". The control and general direction of the Asylum was lodged in a Board of Commissioners, of three members, appointed by the Governor; a tax-levy of one-fifth of a mill upon all taxable property in the State was authorized for the maintenance of the institution; and an appropriation was made for erecting buildings.

The people of Pueblo promptly transferred to the State the required forty acres of land, and upon this tract the work of constructing a large building, known as the Main Building, was begun as soon as funds therefor became available. In the meantime, some small buildings that stood upon the site were repaired and furnished, and in these temporary quarters the Asylum was opened on October 29, 1879. The central part and one wing of the Main Building were completed late in the autumn of 1883, and were first occupied on November 20th, of that year.

In 1893, the Ninth Assembly directed that all additional buildings

constructed for housing the Asylum's patients should be of moderate size and upon the "cottage plan"; and also that separated accommodations should be provided for insane criminals.

As in the case of each of all the other educational and benevolent institutions maintained by the State, the Asylum for the insane has been enlarged steadily by the erection of additional buildings, and otherwise improved, as demands upon it increased; and it is now an imposing establishment. The area of its site at present contains more than one hundred acres, a considerable part of which is used for vegetable gardens; and the value of the property is nearly one million dollars. The number of inmates is about one thousand, and the attention given them is based upon enlightened humaneness and helpfulness.

While our State is far advanced in the number and high character of its educational establishments, it finds it necessary also to possess and maintain a penitentiary. The history of this penal institution runs back into the Territorial period, to 1868, at which time, as well as in earlier years, Colorado law-breakers who had been sentenced to confinement for felonious offenses were lodged in county jails, which were neither comfortable abiding-places nor secure houses of detention. The first provisions in Colorado law for a penitentiary were contained in an act of the Territory's Seventh Legislative Assembly, approved on January 7, 1868, "to locate and establish a Penitentiary for the Territory of Colorado". The text of the act follows here:

"Section 1. That the penitentiary for the Territory of Colorado shall be and the same is hereby located and established at Cañon City, in the county of Fremont, in said territory.

"Sec. 2. That the Governor of the Territory of Colorado, with the advice and consent of the legislative council of said territory, shall, at the present session of the legislative assembly, appoint three persons, commissioners, on behalf of the territory, to select a site, not more than one-half mile from the business center of said Cañon City, for the erection of a penitentiary for said territory.

"Sec. 3. The persons appointed as aforesaid in section two of this act, shall, within sixty days after the date of their appointment, proceed to select a site for a penitentiary for said territory, as aforesaid, which site shall contain not less than twenty-five acres of land; and if the site so selected shall, within sixty days after the same is so selected and established by said commissioners, be conveyed to the territory of Colorado by the person or persons holding title thereto in fee-simple absolute, without charge, so as to vest the title to the same in the territory of Colorado; the site so selected shall be and remain the property of said territory for the purpose of erecting a penitentiary and other public buildings thereon; *Provided, however,* That said commissioners shall select a site which is capable of irrigation and cultivation, and make a plat of the same and its contiguous surroundings, and report to the Governor of this territory the nature of the soil, the character of building material, and the feasibility of cultivation and irrigation of said soil; and upon the reception of the report of said commissioners by the Governor, it shall be his duty to transmit the plat of the land so selected by said commissioners, together with their report and a copy of this act, for the approval of the secretary of the interior, according to law."

Anson Rudd, Samuel N. Hoyt and James M. Williams were appointed Commissioners; and Rudd donated a site that met all the requirements of the law. At this juncture the United States Government became a partner in the enterprise. Congress appropriated funds for erecting the few buildings that were needed at that time, the larger of which was the cell-house, fitted with forty-two cages. But as there was some delay in completing

these, the prison was not made ready for use until June 1, 1871, on which date it was opened, with Mark A. Schaffenburg, United States Marshal for Colorado, in charge.

Under this partnership, the Territory of Colorado paid only the actual cost of guarding and supporting the prisoners its courts consigned to the Penitentiary. However, this arrangement did not long endure, as the Federal Government, in April, 1874, transferred its interest in the institution to the Territory, though continuing to make use of it for confining Federal prisoners, for whose keeping it compensated the Territory.

The State's First General Assembly, by an act approved on March 15, 1877, formally took over the Penitentiary and provided for its maintenance as a State institution; assigned the general supervision of the prison to a Board of Commissioners, of three members, to be appointed by the Governor; determined the mode of appointing subordinate officers; and specifically defined the duties and powers of these and of the Commissioners.

At the time of this enactment the capacity of the prison was about the same as when the institution was opened. Under the State's jurisdiction the establishment has been enlarged repeatedly by the erection of good buildings, and its premises have been extended by the addition of land covering large beds of sandstone and limestone. The prison's competition with free labor is kept by law within narrow limits, and convict-labor is not rented out to any one for any purpose. The more robust of the prisoners have been employed in quarrying and cutting stone and in burning lime, while some have made clothing and other articles for use in the Penitentiary. During the last two years a considerable number of the convicts have engaged in the construction of a public highway near Cañon City—an employment for them that has received general public commendation. The prison is well conducted, and affords in its cleanliness, healthfulness and discipline a good example of what a penal institution should be. The rules governing daily life in it are laid down upon humane lines, and are designed to improve the moral and physical condition of those whose offenses against society have placed them under the ban of the law and within the prison's gates. The Penitentiary still is controlled and directed by three Commissioners.

The Penitentiary Commissioners also have charge of the State Reformatory, at Buena Vista, and which is a place of detention for young men and boys who have, for the first time, been convicted of a felony, and to whom are given indeterminate sentences, with opportunity to merit release under a very liberal parole-system.

This institution was founded by the Seventh General Assembly, by an act approved on April 19, 1889, and was opened for the reception of prisoners about one year later. The act provided that the government of the Reformatory should be vested in the Board of Penitentiary Commissioners, with powers and duties the same as those they exercised at the Penitentiary. It also specified that the Reformatory should be located in Chaffee County, and that the Penitentiary Commissioners, the Chairman of the Board of County Commissioners of Chaffee County, together with the Warden of the Penitentiary, should constitute a Board to select the site. The sum of \$100,000 was appropriated for erecting buildings and making other improvements upon the premises so to be chosen.

The Reformatory occupies a fine situation, and has the use of State

land for farming and gardening. Its buildings, which are well constructed, arranged and equipped, form an imposing group; and much of the labor required to erect them was done by its inmates. The prisoners ordinarily are employed in the routine duties laid down for them by the rules of the establishment, tilling the fields, cultivating the gardens, and working in the various shops. Practical manual-training is an important part of the Reformatory's regular programme. Of the influences of such institutions the following is said in a recent report of the Commissioners of our State Reformatory:

“The wisdom of the men who conceived and gave form to the idea of the industrial Reformatory is fully justified, probably beyond their expectations, in the splendid results such institutions have achieved in winning wayward boys back to moderate and sensible habits of life.”

CHAPTER XXIX.

LEGISLATION IN COLORADO.—UNWRITTEN CODES OF THE ABORIGINES.—EARLY SPANISH AND FRENCH JURISDICTION IN THE STATE'S DOMAIN.—LAWLESS CONDITIONS IN OUR PIONEER TIMES.—MUNICIPAL LAW EXCLUDED FROM THE REGION BY FEDERAL STATUTE.—EMERGENCY LEGISLATION BY AMERICAN PIONEERS IN THE PIKE'S PEAK SECTION.—GENERAL ACQUIESCENCE IN THE RULES AND REGULATIONS.—NATURE OF AN ORGANIC ACT FOR A TERRITORY OF THE UNITED STATES.—ORGANIZATION OF LAWFUL GOVERNMENT IN COLORADO.—LEGISLATION BY OUR FIRST LEGISLATIVE ASSEMBLY.—ENACTMENTS BY SUBSEQUENT TERRITORIAL ASSEMBLIES.—THE CONSTITUTION OF THE STATE OF COLORADO.—ITS EMASCULATED BILL OF RIGHTS.—WRONG AND OPPRESSION THEREBY MADE POSSIBLE.—IMPAIRMENT OF THE RIGHT TO TRIAL BY JURY.—CONSTITUTIONAL PROVISION FOR WOMAN SUFFRAGE.—RESULTS OF THIS EXTENSION OF THE RIGHT TO VOTE.—ITS EFFECT UPON THE MARRIED RELATION AND UPON "POLITICS".—OBSTACLES TO AMENDMENT OR REVISION OF THE CONSTITUTION OF THE STATE.—CONSTITUTIONAL PROVISION FOR APPROPRIATION OF NATURAL WATER-SUPPLY.—EXTRA-CONSTITUTIONAL MEANS OF ADOPTING A NEW FUNDAMENTAL LAW.—CODIFICATIONS OF COLORADO'S STATUTES.—THE STATE'S LAW OF DIVORCE.—CONSEQUENCES OF THE "SENTIMENTAL-CRUELTY CLAUSE".—STATE SUPERVISION OF THE DISTRIBUTION OF WATER FOR IRRIGATION AND MINING.—NATURE OF THE LAW OF TITLES TO REAL ESTATE AND OF ATTACHMENT AND FORECLOSURE.—LEGISLATIVE REVISIONS OF THE LAW OF PRACTICE.—GENERAL CHARACTER OF COLORADO'S LEGISLATION.—DIFFERENCE BETWEEN ANCIENT AND MODERN CONCEPTIONS OF METHODS OF LAWMAKING.—PURPOSES OF LEGISLATION AND SOURCE OF ITS LIMITATIONS IN BEHALF OF THE PEOPLE'S WELFARE.

BY ROBERT S. MORRISON, OF THE COLORADO BAR.

Because the Cliff Dwellers and our Ute, Arapahoe and Cheyenne Indians had no written laws, by no means does it follow that they were without codes of morals and of property-rights. Our Indians possessed both, which had been handed down to them, generation by generation, from immemorial time, and were not only well understood but even more sacredly observed than are the printed statutes of enlightened States and Nations. For examples, marriage within certain limits of consanguinity was prevented, and robbery of one member of a tribe or clan by another was most effectively prohibited. While individual ownership of land was unknown among our red people, their means of shelter, their rude household-furnishings, apparel—such as it was—weapons, trinkets and furbelows, were so rigidly held to be inviolable personal property that they had no need of bars, bolts, or locks for their habitations.

The unwritten codes of the Colorado aborigines were succeeded, nominally rather than actually in the greater portion of the State's area, by the customs, edicts, and statutes of the Spaniards and the French; for a part of the Colorado domain came from France by cession, another part from Mexico (the successor of Spain) by conquest, and still another from Texas (broken off from Mexican territory), by its annexation to the United States. But during the period from the first coming of Spanish and French

pioneers into the country around Pike's Peak down to its settlement by Americans there were but few civilized people within the lines that form Colorado's boundaries; and these consisted of fur traders, trappers, professional frontiersmen, and some Mexican ranchers on and below the Arkansas River and in the Rio Grande Valley. However, most of these were a law unto themselves, as the only pretense of judicial authority then exercised anywhere in the region was that which emanated from the Alcalde, and to which, aside from some of the more prudent of the Mexicans, no one gave any heed.

Modern legislation practically was unknown in our section of the Great West before the arrival of the Anglo-Celtic pioneers of Colorado; and they began to come in 1858. While the localities in which they founded their settlements (excepting the mining-camps in what is now our Summit County) were within the bounds of the Territories of Kansas and Nebraska, our system of municipal law had been excluded from the western parts of those Territories by Congress, and continued so to be until the autumn of 1861, when the government of the new Territory of Colorado was organized and put into operation. This lawless condition was due, as Mr. Smiley has mentioned elsewhere in this volume, to a provision in the organic act under which the Territories of Kansas and Nebraska had been formed, with areas that extended westward to the Continental Divide. This clause exempted from the jurisdiction of these Territories all lands within their limits then occupied by Indian tribes that had not accepted a reservation nor had consented, by treaty with the United States, to subordinate themselves and the country they claimed as their ranges to the legislation and jurisdiction of the governments of Kansas and Nebraska.

The Arapahoës and the Southern Cheyennes, who held the western part of the central plains and the bordering foot-hills to be their possessions, had not made such a treaty; and therefore, under the excluding clause, jurisdiction in and title to the region over which they roamed still remained vested in them. These tribes did not enter into any treaty with the Federal Government until the winter of 1860-61, when they ceded nearly the whole of their ranges to the United States, and agreed to confine their activities to a reservation embracing some six thousand five hundred square miles, which tract extended northward from the Arkansas River, between the mouth of the Huerfano and that of Big Sandy Creek. This treaty did not extend the jurisdiction of Kansas and Nebraska to the mountains, but was made on the part of the Federal Government in anticipation of the creation of Colorado Territory, and therefore it opened the way for the introduction of municipal law into the settlements that had been established by our pioneers. But during the interval from that time until the actual institution of the Territorial Government of Colorado the previous lawless conditions continued. The excluding clause in the organic law for the Territories of Kansas and Nebraska (the two having been formed under the provisions of one act) was inserted in the like act for Colorado, apparently for the purpose of safeguarding the rights of the Ute Indians, whose habitat was in the western half of the section of country that was to be the area of the contemplated new Territory.

The absence of municipal law from the American settlements in the Pike's Peak country prior to the organization of the Colorado Territorial

Government, later was affirmed by the Supreme Court of the Territory. After Congress had enacted the organic law for Colorado (approved on February 28, 1861,) and before the organization of the Territorial Government, a mechanic filed a lien, under the laws of Kansas. In this case (*Townsend v. Wild*, 1 Colo. 10), the Court held that the laws of Kansas did not apply—that in the period in which the lien was filed there was no law in force in the section of Kansas in which that action had been taken “excepting the constitution and laws of the United States”. But neither the one nor the other of these contained provisions that applied to the issue presented for determination.

In the interval between the beginning of the American settlements in the vicinity of Pike's Peak and the institution of the Colorado Territorial Government, the only “laws” in force among our pioneers were the by-laws and rules of the town-companies and of claim-clubs, the regulations of the mining-camps, and the enactments by “provisional governments” which were clothed with a counterfeit of lawful authority—presenting the form of the latter, but utterly lacking its substance. This was a period of spontaneous legislation in the Rocky Mountain gold-field, each community and other organization passing resolutions, adopting rules, and enacting “laws” that served to protect life and property and to determine disputes over rights and possessions. The rules of conduct laid down by the primitive legislatures and the judgments of the emergency tribunals were enforced, when coercion became necessary, by rugged but effective means. However, in the vast majority of cases the good intentions of the pioneers prompted them to acquiesce without physical compulsion. Nearly all these immigrants were native Americans, who had gathered from every section of the Union, the first organized body of prospectors having come from the old gold-district in northern Georgia.

To the people of a Territory of the United States, its Organic Act practically is the equivalent of a constitution to those of a State. The term, which is descriptive of the Congressional act under which a Territory is authorized, formed, and maintained, is one not familiar to the people of the original States, whose basis of political existence was a royal charter. The first enactment of the kind was that of the Ordinance of 1787, by the Continental Congress, creating the Territory Northwest of the Ohio River. As States, beginning with Ohio, were carved from it, a Territorial Government successively was established for the remainder. After the purchase of the vast French Province of Louisiana and the acquisition of the Oregon country, the Territorial system was extended beyond the Mississippi River, in turn to be succeeded by State Governments; and so with Florida, obtained from Spain by treaty, and also with the great accession from Mexico, the spoil of the Mexican War. Colorado's Organic Act, which was similar to all others for like purposes, provided for the appointment by the President of a Judiciary, a Governor, and other executive officers; for a Legislative Assembly, to be elected by the people, and consisting of a Council (the upper branch) and a House of Representatives; for the first election, and for a meeting of the Assembly at such time and place as the Governor should direct. It was the frame-work upon which legislation was to be fitted to complete the structure.

The Governor, William Gilpin, named Denver City as the place and designated September 9th as the time for the first meeting of the Assembly,

the term of the session being limited to sixty days by the Organic Act. Of course, the ground to be covered was large, and naturally the text of the statutes of one of the old western States would be adopted to serve as the basis for the body of the laws. The statutes of Illinois having been preferred, the Assembly appropriated almost bodily the Practice Act and many other chapters from the printed laws of that State. The Practice Act provided for a modified common-law system, which remained in force until the adoption of the Code, in 1877. This Assembly gave married women complete control of their property and also the right to contract as *femmes sole*; established a common-school system and laid the foundations of a University; enacted a Criminal Code and covered many other heads of jurisprudence, some of which continue in force without change to this day; divided the Territory into seventeen counties; and located the capital of the Territory at Colorado City—which proved to be an exceedingly temporary arrangement. Among the several joint resolutions and memorials adopted there was, as might be expected, a resolution of sympathy with the Union Cause in the Civil War. The volume containing the laws and other productions by this Assembly, officially published, is rendered almost unique by a preface of the nature of a laudatory advertisement and introduction to the world of the Colorado country, its people and its resources.

The Second Assembly, which abandoned Colorado City and migrated to Denver City after trying the former for a few days, added but few chapters to the enactments by the First. Among its joint resolutions is one salutatory to the First Regiment of Colorado Volunteer Infantry, well deserved and well intended, but so overdrawn as to read like a page in "Knickerbocker's" *New York*.

The Third Assembly enacted the Territory's first general law providing for the incorporation of joint-stock companies and other organizations; and also an act denying relief to any suitor who could not or would not take the oath of allegiance to the Federal Government. Such acts as the latter were not uncommon during the bitterness of the Civil War, and that of our Third Assembly endured in all its iniquity until 1870, when it was repealed. This Assembly adopted a joint resolution stating "that we recognize in Abraham Lincoln, President of the United States, a worthy ruler, a just and honest President, and a worthy successor of the immortal Washington." In our times, these sentiments would receive but few negative votes. But the resolution went further, and in terms declared in favor of Mr. Lincoln's reelection; and, perhaps, even this was justified by the exigencies of the Civil War.

The Fifth and Sixth Assemblies produced but little legislation that is of general interest at the present time. The more important of the measures passed by either was the law, enacted by the Fifth, and which subsequently was adopted by nearly every other mining Territory and State, requiring a discovery shaft of ten feet on a lode claim.

The Seventh Assembly, in session in the winter of 1867-68, revised the entire statute law of the Territory, the results of which task were designated and published as the "Revised Statutes". These were divided into chapters, alphabetically arranged, with each general act of that Assembly inserted in its proper classification, while the resolutions and private acts were separately published. This revision, which was edited by the Honorable E. T. Wells, who has sat upon the Supreme Bench of both Territory

and State, and who added valuable notations, referring principally to Illinois decisions, was well arranged and a much better compilation than either of the next two revisions.

Nothing enacted by the remaining four Territorial Assemblies—the Eleventh having been the last—now appears to be of interest sufficient to warrant comment or distinctive record here, excepting a mining law enacted by the Tenth to conform the local law to the Congressional Act of 1872. This statute of Colorado has been largely copied by the law-makers of other States and Territories.

Efforts to fix the Territorial Capital elsewhere than in Denver proved failures, and were very unsatisfactory during the trials. The seat of government was shifted from Colorado City to Golden City, but in the period in which it was by law located in Golden, three out of the five Assemblies that convened there, and thus complied with the letter of the law, followed the example of the Second in leaving Colorado City, and adjourned to Denver, where their work was done: the Fourth and Sixth having been the only ones that held their entire sessions in Golden. In 1870, the Capital of Colorado was established in Denver, its natural and logical location, and where it has remained ever since.

On March 3, 1875, President Grant approved an act of Congress—the Colorado Enabling Act—"to enable the people of Colorado to form a constitution and State government, and for the admission of the said State into the Union, on an equal footing with the original States". A convention of delegates elected by the people met in Denver and framed a constitution, which was ratified by popular vote on July 1, 1876; and on the first day of the next month the President proclaimed Colorado a State of the Unión.

The Colorado Constitution, like those of the older States, contains the usual restrictions on the abuse of power; the chief purposes of a constitution apparently being not so much to enable the State to govern the people as to protect its citizens from the oppression of their own rulers. It would not be expected that the Constitution of the Centennial State would be the same as the fundamental laws of the original thirteen States. A hundred years means progress, and progress implies innovation and change. But innovation and change do not conversely imply progress; and some of the changes that appear in this modern Constitution of ours are, in the judgment of conservative people, simply experimental legislation, purchasing something at a price greater than its worth. It is not essential here to mention the matter-of-course contents of our Constitution, and therefore I shall refer only to its novel or innovating features.

The Bill of Rights is badly emasculated. Instead of the incisive words of *Magna Charta* or of the Federal Constitution, and because, under the general terms of those old and grand texts, there was a possibility of some guilty person escaping conviction and punishment now and then, provisos that surely would make the innocent suffer must be incorporated. The Legislature was left at liberty to eliminate the Grand Jury. As the statutes now stand, under this permission, all prosecutions are by an "Information" filed by the District Attorney. Great as might have been the abuse of the method by Grand Jury, it would appear trivial in comparison with the flagrant wrong and oppression made possible by allowing one man to lodge criminal accusations against any person, and to put the accused to the risk

of a "railroaded" trial without the right even to a preliminary hearing. Trial by jury in criminal cases is guaranteed, but not in civil causes. The result has been to reduce the jury, by statute, to six men in civil cases, unless one or the other party to the case buys the right to a jury of twelve; and this, notwithstanding that the high-sounding preamble to the statute declares that "right and justice should be administered without sale, denial or delay". Even in criminal cases the right to a fair hearing is abridged by compelling the defendant to stand trial on the depositions of absent witnesses (Art. 2, Sec. 17).

The subject of every bill introduced into the Legislature must be expressed in its title (Art. 5, Sec. 21). The evil intended to be avoided by this section is obvious, but a law is liable to attack for non-compliance with this constitutional provision should it carry a sententious title. To escape this danger, the practice has been to give almost interminable titles to bills, sometimes nearly as long as the bill itself.

The Constitution, in Article 7, Section 2, required the first Legislature to submit to popular vote the question of according suffrage to women, and conferred upon subsequent Legislatures authority to resubmit it at any time. At the first submission of the issue it was defeated; but at the second, in 1893, it carried. It has been in operation sixteen years, and its effects, whether for the better or the worse, now should and fairly may be soberly considered. It has wrought no drastic changes. It has not affected the result in any contest between the larger political parties, and there is no general concession that its effects have been to the good. It has repealed no legislation inimical to women, because, with one exception, there was no such legislation to repeal. The exception is the amendment of Section 1319, *General Laws* (of 1877), that gave preferential rights to the father in the matter of guardianship of children, and by which change (*Revised Statutes*, Sec. 2912) the father and mother were given equal joint-rights therein. But it is not clear that this was directly due to the extension of suffrage to women, nor that it would not have come to pass without their participation in elections.

The argument in favor of suffrage to widows and unmarried women is much stronger than that in favor of married women. It is said to be a fiction of law that husband and wife are one person. If this be merely a fiction, so also are the words of Scripture: "and they twain shall be one flesh". In the great majority of cases, husband and wife harmoniously vote the same ticket, and therefore the outcome is nothing more than counting two votes against two instead of one vote against one, the net result being the same. When the wife votes the opposite ticket she simply kills her husband's vote, and so he might as well be disfranchised. But where this happens it is the opening wedge for fireside discussion, disagreement, quarrel, separation and divorce. The climax of this procession of causes and effects may seem distant, but it is nevertheless almost sure. No two mated persons of strong personality can long abide in harmony with this irritating and constantly-recurring factor operating to force them apart. Certainly the number of divorces has increased vastly since this extension of suffrage has been in practice, and in many instances it has been openly conceded that activity in politics by the wife had been the initiative to this result. Where either the husband or the wife is of weak personality and has a more

or less feeble tendency to differ from the other in political views, the stronger of the pair controls the weaker and casts two votes.

To say, as some have said, that woman suffrage has "purified" politics would be a pretense, and nothing more. Those of the good women who take part in elections, as a rule divide their vote according to their party preference, as men do. But degraded women constitute a body that has voted solidly, early, and frequently often, at every election, and always as the police organization directed. Voters of this class have been indicted and arrested—but usually shielded from effective prosecution by political influences—for every form of political fraud with which men ever have been charged. The best, if not the only, argument left for "votes for women" is that all good women should vote regularly, in order to "kill" the votes of bad women, who always vote. While, as already stated, woman suffrage has not added to the relative strength of the larger parties, it has increased that of the Labor, Socialist, and Prohibition parties; and these well-disciplined organizations invariably bring out their entire "woman vote". It may be conceded that women voters have aided the temperance movement, which, in our State, has taken the form of local option. Yet, in instances in which the vote between the "Wet" and the "Dry" factions was close, not always have the feminine electors turned it against the saloon.

In late years there has been developed among a large number of the American people, including some of those of our State, an ominous tendency, the ultimate evils of which should be obvious to every thoughtful citizen, to legislate in constitutions, either originally or by amendment, instead of prudently authorizing in the fundamental law such legislation as the majority may deem desirable. In Article 19, Section 2, the Colorado Constitution provides for changes in and additions to it. Proposed amendments must by vote first be sanctioned "by two-thirds of all the members elected to each House" of the Legislature, and then "be submitted to the qualified electors of the State for their approval or rejection, and such as are approved by a majority of those voting thereon, shall become part of this Constitution". Section 1, of the same article, provides for calling "a Convention to revise, alter and amend this Constitution" by the same method of initial procedure. Under Section 2, many amendments have been proposed, and too many of these were adopted. But "a Convention to revise, alter and amend" the Constitution seems a most remote possibility.

By Article 16, Section 5, the Constitution declares the unappropriated waters of the State to be "the property of the public", and provides for their appropriation, under which nearly all the flowing waters in the State have been distributed and put to use in the agricultural sections and mining-districts. Article 8, Section 5, fixes the locus of all the public institutions of the State—the State University, Agricultural College, School of Mines and others. Their water-rights having been adjudicated in accordance with the constitutional provision just mentioned, the farmers generally fear that a revision of the Constitution by a convention might, by some possibility, interfere with their now vested rights; and the counties benefited by the location of the State institutions fear that a consolidation of the functions of these might deprive their localities of such advantages as they now derive from them. Therefore, the spirit of selfishness manifested by these interests seem almost to eliminate the possibility of a Constitutional Convention for so long as they possess and exert the influence they now have.

The writer of this chapter long has held to the conviction that, in spite of the provisions and conditions imposed by the present Constitution for instituting a convention to revise, alter and amend it, if the Legislature should, by a majority vote, call a convention for that purpose, and not submit the call to a vote of the people, and such convention were to meet and adopt a new Constitution, the latter would be valid and supplant the old; because the Commonwealth cannot give away its right to political existence, nor go to sleep while the ribbon of life runs on. It has a fundamental right to change its fundamental law. A social crisis or a civil war might arise, and make a new convention an absolute necessity; and yet, so long as Section 1 of Article 19 reads as now and is adhered to blindly, or regarded as a fetich immutable, such a convention could not be called short of a period of two years.

The collection of Colorado statutes that is known as the *General Laws* (G. L.), was the consequence of an enactment by the State's first Legislature, which convened on November 1, 1876, and continued in session until March 20, 1877. The act required the Secretary of State to collate and print all the general laws in force at the time that Legislature adjourned, and including those enacted by it. The "running line" of the book, which was published in 1877, is uniform throughout the volume: that is, the title of a chapter is not found at the head of its pages. Beside this defect, the sections have no headlines. The work was as poorly edited as any such book could be; and as any such book must be when not edited by a competent lawyer.

In 1883, the third official compilation of the State's general laws was published under the title of "General Statutes". The Governor, as authorized by an enactment in 1881, appointed the Honorable H. P. H. Bromwell commissioner to compile it. The volume contains all the general laws of the State that were in force to and including the year of its publication.

In 1891, the Honorable J. Warner Mills published a full compilation of the Colorado Statutes, in two volumes, entitled "Mills' Annotated Statutes", and which, by a law enacted in that year, was made "*prima facie* evidence of the originals". Another volume was published in 1897, and which was superseded in 1904 by a reprint, with additions, and thus was brought up to the later date. These volumes are copiously annotated, and much more convenient than any official revision prior to that of 1908.

The revision published in that year, under the title of "Revised Statutes (1908)", is the fourth and last compilation, and by law was authorized by the Sixteenth General Assembly. As requested by the terms of the act, the Supreme Court appointed Dewey C. Bailey, Jr., commissioner to compile and edit the work; and he selected Arthur R. Morrison as his assistant. The volume contains all general laws in force to and including those of the Sixteenth Assembly, and also the Code, which is separately indexed but bound in with the statutes. On every point of comparison this revision excels any preceding work of the kind. Before outlining the plan of the book, its compilers examined the late statutory revisions made in all the other States of the Union.

I shall not attempt to enter upon a discussion of the general laws of Colorado as a body, but shall limit myself to brief consideration of parts of some of the more important acts.

Prominent among these is the statute that deals with the subject of

divorce, and which in its present form dates from the year 1895, when "An Act to amend the Law of Divorce" was passed. The avowed intent was to render it more strict, but the real effect was to render it much more loose. Among the usual grievances set up as reasons for divorce is "cruelty". In defining this term, in the amendatory act, the following phrase, commonly known now as "the sentimental-cruelty clause", was added: "Such acts of cruelty may consist as well in the infliction of mental suffering as of bodily violence". No one reasonably can deny that causing mental suffering amounts to cruelty, but under this clause any husband or wife desiring a separation can state a case which can be construed into mental cruelty. It is the clause that furnishes the newspapers with stories of farcical complaints, which would be ludicrous were they not really so serious. Divorce is the capital punishment of Love, and death in any form is a solemn thing.

The common use of the "sentimental-cruelty clause" is very comparable to what would follow should resentment of an insult by a blow be given full and specific warrant by law. We all know that there may be an insult so gross and exasperating that no jury willingly would convict the person who resented it with a blow. But it would never do to put into the form of a statute that "an insult shall justify a blow". One of the results of this would be that any person seeking an excuse for a fight would provoke the insult, to follow it up with the blow. The cases in which such a law would be abused would vastly outnumber those to which it would apply justly. While it has been conceded that extreme cruelty may be inflicted upon the one or the other by the husband or the wife, by the use of insulting language and by other means of causing mental suffering that have been alleged to be within the meaning of the sentimental-cruelty clause, it has become evident that such instances are but few indeed in comparison with the number of cases in which alleged "extreme cruelty" had been tortured into form by the force of imagination or was deliberately fabricated; and yet, such "grounds" for divorce so may be presented as to predicate, upon their face, the inference of cruelty. The repeal of the sentimental-cruelty clause would cut out probably more than half of the suits for divorce for which the only real basis of action is the mutual desire of the parties to separate.

Another highly-important subject of Colorado legislation is that of irrigation. The law of riparian rights in our State, as in all the arid States and also in the remaining Territories, necessarily yields to what is known as the "doctrine of prior appropriation", and is therefore radically and essentially different from the common law concerning water rights.

Our first law relating to irrigation was enacted in the autumn of 1861 by our First Legislative Assembly. The Revised Statutes of 1868 contain a short chapter under the same heading; and ever since that year, session by session of the lawmaking body, the subject has been tested by legislation until the Irrigation Chapter in the last revision has been swollen to three hundred and ninety-eight sections. In 1879 there was enacted a law that required all claimants of water for irrigating purposes to come into Court, in suits brought in each water-district, to settle their respective priorities. A similar act, of 1903, required the adjudication of priorities of mining and power ditches.

The priorities having been settled, the State is now divided into five irrigation divisions, each of which is under the supervision of a division

engineer; and each of these divisions covers a portion of the total of seventy water-districts. The direct duty of overseeing these districts and the distribution of the water therein, according to the decreed priorities, falls upon a water commissioner, one of which is appointed for each district. The division engineer has general supervision of the acts of all water commissioners in his district. He hears and determines complaints of owners against water commissioners, and in cases in which an owner pleads that a commissioner has discriminated against him the division engineer has the power to decide; and from his decision either party to the case has the right of appeal to the State Engineer, who has general supervision over all the irrigation matters in the State.

Among the Colorado legislation on this subject that has proved to be of exceptional benefit to the agricultural industry is a law enacted in the year 1901, and which authorizes owners of land in any district, who may desire to provide for the irrigation of their tracts, to organize, under certain provisions, an irrigation district to which the act gives general power to purchase and to construct ditches, canals, and reservoirs to be used as means of irrigating the lands in such district. It allows the district to issue bonds with which to pay for water rights and for the construction of reservoirs and ditches. Bonds of districts that have been organized and established under the provisions of this act now are held in high esteem as investments. This method of enabling farmers to coöperate in the irrigation of their lands has not only developed theretofore barren ground, but has materially increased the value of many farms so associated, each of which formerly had been dependent on its own small ditch for a supply of water.

From time to time, the State has expended large sums of money in the construction of canals and reservoirs that have been turned over to the counties in which these improvements are located. The great irrigation project by which waters of the Gunnison River are diverted into the Uncompahgre Valley by means of a tunnel of some six miles in length through a dividing range, and which recently was completed by the Federal Government, was initiated by the State, under a law enacted in 1901. Two years later, the Legislature authorized the transfer of the unfinished work to the Federal Reclamation Service.

It is justly affirmed that Colorado was the first State to solve by legislation the problem of formulating a practical and systematic plan for a fair distribution of natural water-supply for irrigation and for use in mining among the many and varied appropriators thereof, as well as for determining the standing of rights thereto in cases of disputes between claimants to priority therein.

Our legislation on the subject of titles to and transfer of real estate is based upon the Common Law "deed of bargain and sale" as modified by the modern law of notice by record of conveyance. In 1903, our Legislature, without disturbing these methods, also authorized the use of the Torrens system of making and recording transfers of real estate, and which originated in Australia, taking its name from that of its inventor, Sir Richard R. Torrens. Resort to this system is optional, but the instances of its employment in the State have been few in number.

In a special session, in 1894, the Legislature modified the law of attachment and foreclosure by allowing nine months for redemption in cases of trust-deed foreclosures; and in 1895 repealed a law that permitted

suits on notes and book accounts to be begun by attachment without any allegation of fraud or non-residence. The modification of the one and the repeal of the other of these statutes afforded relief from legal conditions that had proved to be very oppressive to the debtor class.

In the Code of 1877, the Colorado Legislature adopted the Laws of Practice that originated in the State of New York in 1846, and which have been, with various changes, taken over by most of the States of the middle West and by all in the farther West. This change promised to do away with the technicalities of the Common Law, and thereby to simplify procedure. It abolished the distinctions between law and equity, and also the divisions of the Common Law forms of action—that is to say, it abolished them in words. But it could not wipe out facts. While the Code of 1877 removed many time-worn technicalities, it introduced some new ones. But distinctions are inherent to any system of legal procedure, and the simplicity of Code pleading vanishes with the disappearance of simplicity from a case. That Code was an innovation, but its principles are here to abide with us. Perhaps it adapted itself to the needs of the legal profession and to the rights of suitors as well as would any other system. Each has its lesions, and a perfect method seems to be beyond physical possibility.

Ten years later, the Legislature revised the entire Code of 1877 and made a great improvement in it. This revision, known as the "Code of 1887", remains, with slight amendments, the Law of Practice now in force in Colorado. It does not contain those sections of the California Code that require the Court to make findings of fact and from these to draw conclusions of law—a practice that imposes infinite useless labor upon both attorneys and judges, but produces no better result than that of the definite judgment of the Court rendered without presenting the entire line of thought that led up to determination of the contention.

An annotated Code was published in 1884 by James H. Dawson; another, by Frank S. Rice, in 1890; and a third, by the Honorable J. Warner Mills, in 1896. The latter was the only one of the three that came into general use.

There are many provisions in the Constitution of Colorado that guard against partisan and improvident legislation; and the Supreme Court of the State has held these to be mandatory.

Among the statutes of Colorado there are but few that are unique, or freakish in character. The body of the State's legislative law in the main is such as exists in other States that lay in the same latitudes, and have similar climate, population, and productions. Legislation formulates and proclaims laws, and courts interpret and apply them. Where faults appear and lapses occur, these are to be found, not so frequently in the laws *per se*, as in the machinery designed to execute them. The greatest hindrance to a more effective operation of the latter arises from the system of an elective judiciary.

It can not fairly be said that legislation in our State is entitled to superlative laudation or is deserving of severe condemnation. Extremists never have had the upper hand in directing our legislation, and but few measures radical in their nature have been given the form of law. Among the legislation for the welfare of workingmen is an enactment which, in a suit brought by an employee against his employer to recover for physical injuries received while in the line of his duty, bars the employer from pleading in

his defense "contributory negligence" on the part of the plaintiff's fellow-workmen (R. S. Sections 2064, 2065). The law is right, and could be made further to serve the interests of exact justice by an amendment declaring that continuance in employment after a danger therein had become known shall not operate adversely to the plaintiff in such suits. A law prescribing that a day's labor for miners employed underground, and also for men working in smelters, shall consist of eight hours of service, is in force. "Blacklisting" by employers is prohibited, and, upon the other hand, "boy-cotting" and "picketing", that so often have been incidents of strikes, are forbidden. Legislation on the subject of education has been not only liberal, but bountiful. Religious toleration is unqualified, while church property is exempted from taxation. In the last three sessions of the Legislature there was enacted a series of laws establishing and otherwise providing for juvenile courts, thus making a new departure in the treatment of young delinquents.

Turning aside from the dry chronology of the law of a single commonwealth, it is a pleasant diversion to analyze the topic of legislation, and to observe upon its history, its objects and its limitations. All the early codes of law were proclaimed by single leaders, such as Moses, Solon and Lycurgus. But the idea of discussion in convention and the final counting of votes is inseparable from our conceptions of democratic law-making. Law is "a rule of action prescribed by a superior power", as Blackstone defines it, even when it is the fiat of a despot, if that despot has the ability to enforce as well as the authority to proclaim it. Legislation in any form must pass through the three stages of proposition, criticism, and acceptance; and when emanating from an absolute monarch, all these processes are but the digestion of the subject in his mind. But according to the formula of American legislation, the proposition may come from any single member of the lawmaking body; the criticism is by the delegates in two houses; and the acceptance is by the combined act of a majority in each house and the executive.

The common welfare of the people is the object of legislation: that is, it seeks to add to their contentment and to their enjoyment of life by establishing just rules of conduct which shall be observed by all; or, in other words, so to increase the aggregate of happiness that the share of each unit in the mass of population shall be enlarged. This involves the protection of the individual against individual, and also the protection of the individual from the oppression of the State. The latter has been the more difficult to prevent. Throughout all written history runs the story of constant protest and struggle of the people against their government, whatever its form; and to an extent almost as great under the republican form as under that of a monarchy. As the records of criminal courts show the punishment of the recalcitrant by the State, so history tells of attacks upon the rights and liberty of the individual by the combined force known as "government".

The limitations to good legislation are fixed by the limits of the legislators to comprehend that which would be salutary; and, when things are wanted, to separate those which, if given, would benefit, from those from which the benefit would result from refusal to consider them.

CHAPTER XXX.

COLORADO'S JUDICIARY DEPARTMENT.—CONDITIONS UNDER WHICH THE AMERICAN FORM OF CIVIL GOVERNMENT WAS INSTITUTED IN THE PIKE'S PEAK COUNTRY.—CHARACTER OF COLORADO'S PIONEERS.—EARLY COURT PRACTICE AND PROCEDURE.—TERRITORIAL COURT SYSTEM.—PERSONAL ATTRIBUTES OF THE TERRITORIAL JUDGES, AND THE DURATION OF THEIR TERMS.—THE STATE CONSTITUTIONAL CONVENTION.—AMENDMENTS TO THE CONSTITUTION.—JURISDICTIONS OF COLORADO COURTS.—ESTABLISHMENT OF APPELLATE COURTS.—POLITICS AND THE JUDICIARY.—FIRST ELECTION OF SUPREME COURT JUDGES.—EXCEPTIONAL CIRCUMSTANCES UNDER WHICH WILBUR F. STONE WAS ELECTED TO THE SUPREME COURT.—COLORADO'S PIONEER LAWYERS.—DISTINGUISHED MEMBERS OF THE STATE BAR.—THE "CIRCUIT OF THE TERRITORIAL COURT OF THE THIRD DISTRICT."—PRIMITIVE MEANS OF TRAVEL AND ENTERTAINMENT.—FANDANGOS IN SPECIAL HONOR OF THE COURT AND ITS RETINUE.—COLORADO'S ARMY OF LAWYERS.—THE STATE BAR ASSOCIATION.—BANEFUL INFLUENCES OF PARTY POLITICS IN THE JUDICIAL DEPARTMENT OF GOVERNMENT.—PRESENT MENACES TO THE STABILITY AND INTEGRITY OF OUR COURTS.—REMEDIES FOR DEFECTS AND INEFFICIENCY IN THE DISPENSATION OF JUSTICE.—LAW NOT INFALLIBLE, BUT SUBJECT TO THE UNIVERSAL LAW OF EVOLUTION.—PECULIAR CONDITIONS ENCOUNTERED BY OUR COURTS.—DEMONSTRATED HIGH CHARACTER AND ABILITY OF THE BENCH AND BAR OF COLORADO.

By Wilbur F. Stone.

The judiciary department of Colorado, with its system of laws and court decisions, grew from the small beginnings in the ante-Territorial days. A detailed history of its origin and development would be too lengthy for a place here, and therefore only an abbreviated sketch will be attempted.

The history of the institution of the American form of civil government in what is now the State of Colorado by the Pike's Peak pioneers forms a most interesting chapter of American annals, since it stands almost alone as an example of the genesis and evolution of self-government by civilized people—former citizens of states, but suddenly transplanted far beyond the immediate jurisdiction, restraints and protection of the laws and authority of state and national government.

When the American settlers of our state came here they entered into a No-Man's land. The conditions were without precedent, for the case of the preceding settlement of Utah by the Mormons, as well as the occupation of California by American gold-hunters, differed widely from that of Colorado.

When emigration from the original states passed over the Alleghany Mountains and flowed into the Middle West, progress and settlement crept

along slowly—an agrarian outgrowth, which spread in a manner that may be compared with the extension of vegetation as seeds dropped from the parent stock take root and grow in advance of the outer rim of contiguous setting. Those frontier settlers were always joined to the government, laws, rules and customs of the older homogeneous communities, linked to them by comparatively easy means of intercourse, by various common interests, and having their aid and protection. Therefore, such pioneers had but little need of original creative effort.

Contrasted with such conditions, the Pike's Peak region was known only to explorers, and to trappers and traders among the Indians—aside from the aborigines themselves. The pioneer invasion of this far western land—arid in climate and soil and high in altitude—by our first real settlers was induced only by gold, the thirst for which had been sharpened by what had come to pass in California ten years before—a thirst of mankind that reaches back through human history into ages before the Greek Argonauts set sail to recover the Golden Fleece.

So to this new region of Pike's Peak, then mapped as worthless mountains, and separated from the frontier government by six hundred miles of desert plains, our pioneers came, not creeping, but marching in quick-step armies, transplanted, set down where they had to begin without existing law and government, and thus left to their own volition and creative ability.

Here, then, began a school of law-making and administration in which every man took part, not for the government and observance of others, but for themselves, and moved thereto by the spirit of self-preservation. It is pertinent to note, at the outset, the character of these first settlers; for this feature has, from the beginning until now, remarkably influenced the history of Colorado and the entire far west. Unlike the population that peopled the forested and luxuriant grass-covered region of the older west, and which consisted almost wholly of the agricultural class, with a sameness of manners, customs, ideas, and opinions tending to narrowness and lack of enterprise, at a period and under conditions requiring a generation to produce noticeable changes and acquire comforts, the pioneers of this New West exhibited a distinct contrast. Not that they were a new breed or race; they were a selection. They were of the same kind that had rushed to the golden coast of California, where, within two years after its conquest, and without going through the preliminary form of a territorial government, they begot a full-fledged State of the Union and began outlining a new map of American Empire.

An old prospector once described the "round-up" of the early Pike's Peakers as composed of "Yankee abolitionists, Pennsylvania Dutch, Ohio Buckeyes, Indiana Hoosiers, Illinois Suckers, Michiganders, Wisconsin Badgers, Iowa Hawkeyes, Kentucky Cocktail-Colonels, Carolina Corn-crackers, Georgia Goobergrabbers, Alabama Confederates, Missouri Mule-skinners, and a large contingent of Kansas Red-legs." But, in truth, the Colorado immigrants of the first ten years were, like those of California, of a very different type from the first settlers of a purely agricultural country. They were intelligent, many of them well educated, and all adventurous and enterprising.

So they came here, from the East, the West, the North and the South; sons of the Puritans from the hills of New England and the prairies of

the Great Lakes region met with the sons of the Cavaliers from the land of the palmetto and the magnolia. All these, with their varied nativity, lineage, manners, customs; social, political and religious beliefs—Christian, Jew, and Free-thinker—mingled here, where all were free, yet interdependent upon each other, and worked, co-operated, borrowed and lent, put their several talents, manners, habits and mental stores into a community-pot of neighborly good-will. Out of this mixture of enriched amalgam each took his common share, so that in a brief time the pioneer settlers of Colorado, like those of California, Arizona and Montana, became the most closely united, most tolerant, liberal and cosmopolitan population in the United States. Therefore, and while, for many years, a class of stay-at-homes in the east were sending missionaries and school teachers out to this supposed "wild and woolly West," upon the assumption that the people of the Rocky Mountains were of an untamed, untaught and lawless sort—indigenous to this region, like the Indian, the coyote and the prairie-dog, it is easy to see how people with the character of these pioneers, so soon as they were fairly camped in this wilderness of golden mountains and fertile valleys, set about to establish government, schools and churches. Together with their picks and shovels, axes and plows, guns and belt-knives, they had brought their love of law, of the free school, and a large majority had not forgotten to bring and set up in their tents and cabins the household gods of their old family hearthstones.

The people of each mining camp, embryo town, and agricultural settlement framed their own simple codes of civil and criminal law, chose officers to administer them; each community being an independent sovereignty—like the early little democracies of Greece—wherein law and order prevailed with as much rule and stability as in New England—minus blue-law intolerance.

The members of the first territorial legislature were men of honest endeavor; politics was not then an element of legislation, and the first statutory laws were simple and such as were deemed necessary for the time and existing conditions.

The court practice and procedure first established was copied chiefly from the Illinois system, being a modified common law practice. Many of the pioneer lawyers here had come from Illinois, and had brought with them the court reports of that state; and a number of these lawyers were members of the first legislature. After the territorial organization in 1861, three or four years elapsed before legislation came to be systematically established and administered.

Government then went on for ten or a dozen years much as it had during the ante-territorial administration. Only necessary laws were enacted, and having been formulated by earnest men they were honestly made for honest purposes, and also were faithfully administered.

The Judicial System of the courts of Colorado, established by the Organic Act of Congress, approved February 28, 1861, was typical of the system that has prevailed—with a few late exceptions—for more than half a century in the organization of all the western Territories. In fact, the entire form of such government provided by Congress was practically identical in each Territory.

The chief judicial department consisted of three judges; an attorney

who usually was called "Attorney General" (the title "General" attaching to him forever afterward); and a Marshal. Inferior courts were provided by Territorial statutes. Colorado's first Legislature divided the Territory into three judicial districts, and assigned each of the three judges to one of these districts for the holding of courts at times and places designated by the legislative act. In these courts the judges tried all cases, civil and criminal, arising under the laws of the National Government, as well as those under the laws of the Territory. These tribunals were called "District Courts," of the First, Second and the Third judicial districts, respectively; and therein all the United States, or "Federal," cases were prosecuted by the "Attorney General," while the territorial criminal cases were prosecuted by a district attorney, elected under Territorial statute within and for each county or district.

Beside this double Federal and Territorial jurisdiction, these judges had another and superior function; for when, at stated times, they convened at the Territorial Capital, the united body constituted the Supreme Court of the Territory, with appellate jurisdiction to revise cases appealed thereto, or brought up on writ of error from courts of the several districts. This quite anomalous feature of the appellate character of the Territorial court required the judges, in effect—as members of the Supreme Court—to review their own cases tried in the district courts, and affirm or reverse their *nisi prius* decisions, as a majority of two of the trinity in turn should determine. It may be presumed that no tales of swapping jack-knives were told out of school.

A history of courts is more or less a history of their judges, for courts are very much what the judges make them. A court is not a mere vehicle into which a judge steps, is carried automatically, and steps out at way stations, like a passenger. Every court takes its quality, complexion and character from its presiding judge, and its efficiency, effects and influences are measured by the structure of the man, and not by the machine.

The first three judges appointed to serve the Territory were Benjamin F. Hall, Chief Justice; Charles Lee Armour and S. Newton Pettis, Associate Justices.

Judge Pettis retired soon after he arrived here. He came, saw, and was conquered by his disgust of the "Wild West," resigned his office, and went back to the East without ever having sat in court in the district to which he had been assigned. Judge Allen A. Bradford was appointed his successor.

Judge Armour, of Maryland, was a talented, but cranky, many-sided and tyrannical person, especially when on the bench. Among other peculiarities, he required every one, in taking an oath, to swear on an old, musty Bible and kiss the begrimed book, regardless of the labial transfusion of lurking microbes. He became so unpopular within a year that, after petition for his removal had proved unavailing, the Legislative Assembly, which then held sessions annually, redistricted the Territory (the first legislative gerrymander in Colorado) and assigned Judge Armour to a specially created Judicial District comprising only the two Mexican counties of Conejos and Costilla, situated beyond the Sangré de Cristo Range, and on the frontier of New Mexico—far from the madding crowd of American strife. But, with sublime defiance, the impassive Judge refused to

visit his adobe castles in New Spain or to resign his office. Stoically he smoked his cigar on the veranda of his boarding house up at Central City, sipped his whiskey toddies, drew his salary, and held out his term as became a gentleman of ample if not elegant leisure. His journey thereafter back to "My Maryland" was unlamented by Pike's Peak; and the Armour exile-district was promptly restored to the Third, or Southern, District, to which Judge Bradford had been assigned.

Chief Justice Hall was a good man, an experienced lawyer, of amiable disposition and gentlemanly deportment, an acceptable judge and was highly respected by the bar. He served only about two years, and was succeeded by Stephen H. Harding, of Indiana, who had lately served as governor of Utah.

Colorado had its quota of experience with "carpet-bag" appointees to office in the early years, and it was hard to get complaints to the ear of the Federal Government, for the Civil War was raging and the conditions resultant from it engrossed administrative attention.

Chief Justice Hall was succeeded by Stephen H. Harding, who had been Governor of the Territory of Utah, and who was the most unsatisfactory occupant of the Colorado Bench in that period. His venality, decisions of questionable motive, personal immorality and general unfitness became so odious that finally the bar organized what would in this day be termed a "boycott." Every lawyer having a case in court when a certain term opened in Denver moved a continuance in each case; and, if not granted, refused to try them, from term to term. This went on until, one day, when Harding came down from Central City, where, on the last day of a term, he had rendered an iniquitous judgment in a mining case, he hitched up his team and skipped across the plains eastward to Hoosierdom and obscurity.

Judge Bradford had lived in the Gregory Gold-diggings before his appointment as a judge, and so was one of the Pike's Peak people. He was assigned to the Southern District, of which Pueblo was the central point, where he served with distinction, and afterward was elected as Territorial Delegate to Congress. He was a native of New England, having to use his own expression, "escaped from Maine" when young, and had thereafter lived on the western frontier. Judge Bradford was a most remarkable man, had a wonderful memory, an upright character, was kind and just, and whose eccentricities, quaint speech and grotesque mannerisms were proverbial throughout Colorado during his long and honorable life, which closed a few years ago at his home in Pueblo.

Moses Hallett, by the united efforts of the bar and people, was appointed Chief Justice to succeed Harding, in 1866, and was assigned to the Pueblo district, in which he succeeded Bradford as District Judge. He came to Pike's Peak in 1860, and was the youngest in years and in the legal profession of all the early judges when he came upon the bench, but in study and knowledge of law he had come to be accounted the equal of any member of the Colorado Bar, and the superior of most. Boyish in appearance, he was familiarly called "Moses" by the elder lawyers, and his natural modesty in manner suggested the witty and genial General Bowen to refer to him as "Moses, the Meek." Judge Hallett was retained, by successive appointments, as Chief Justice of the Territorial Supreme Court until Colorado was admitted to statehood. At the time of that

change he was appointed United States District Judge for the State, which position he held until he retired from the office, in the year 1908, at the end of forty years of continuous judicial service. During these forty years in the wilderness of law-genesis and evolution, Moses Hallett may be said to have made more good bench-law than any other judicial lawgiver who has ever graced the bench of Colorado.

Judge Hallett's chief characteristics of studious industry, retiring and self-contained nature, great dignity of manner and tenacity of opinion gave to his personality and his court a force and influence which made an indelible stamp on the legal profession and the judiciary of the period. New legal questions, never before arising for legislative or judicial discussion elsewhere in the United States, sprang up here concerning water-rights and usages in irrigation, mining, and the public domain. Judge Hallett was the first to declare the inapplicability of the ancient common law doctrine of riparian rights to the waters of streams, and to announce the rule of water-rights to be based upon prior appropriation by one seeking use of the public waters for necessary or beneficial purposes; and also that a settler, for the irrigation of his land, even though held under possessory right merely as a locator upon the public domain, had a right not only to divert water from the natural streams, but to convey it by ditches or flumes constructed through the lands of another without the consent of such other. This doctrine was after incorporated into the constitution of the state, and has come to be the prevailing law of the land in most, if not all, of the states and territories of the arid and semi-arid west.

Judge Hallett prepared the first two volumes of the Colorado Supreme Court Reports, comprising all the most important decisions of the Territorial Court down to Colorado's admission into the Union and to the consequent establishment of the State Supreme Court under the constitution.

William R. Gorsline, of the Gilpin County Bar, was appointed to succeed Harding in the First District, in 1866, soon after Judge Hallett's first appointment; and thus giving Colorado a majority of "Native Sons" on the Territorial Bench. Judge Gorsline came here at an early day and settled at Central City, where he soon acquired a lucrative practice. He had been a Circuit Judge in Wisconsin, was an able lawyer, a sound judge and a pleasant, lovable gentleman. He died before the expiration of his term.

Judge James B. Belford, of Pennsylvania nativity, came to the bench here in 1870, became a permanent resident, and after his judgeship, as the successor of Gorsline, he was elected to Congress and served in the House of Representatives with distinction. He was a man of brilliant talent, a fluent public speaker and an accomplished literary writer. A man of popular manners, and with sympathy for the humble rank in life—"the common people"—no one was better known over the whole state during his entire life here than "Jim" Belford. He died a few years ago, missed, but well remembered by the many.

William H. Gale, of Illinois, served a very short time before resigning as a Territorial Judge, and was succeeded by Christian S. Eyster, of Pennsylvania. The latter was a man well along in years and of mediocre ability, but upright and highly respected.

Eyster was succeeded in the Denver district by Ebenezer T. Wells, a

distinguished member of the Colorado Bar. Judge Wells came to Colorado at the close of the Civil War, in which he had served with distinction as a staff officer, and here entered into an active law practice. He compiled the first revision of the Colorado statutes, a most carefully prepared and useful work for the legal profession and the State. His coming upon the bench was a welcome acquisition to the judicial department. Judge Wells was a trained lawyer, a ripe scholar, a man of prime character, a great reader, and possessed a high order of literary taste as well as a most retentive memory. Of outward gravity, but full of an inward sense of humor and comradeship, he possessed a large, healthy, erect physique, was a laborious office-worker, and it used to be said that he was the only member of the bar who could "work fourteen hours a day every day in the year and thrive on it."

Judge Wells served his term with great satisfaction to the bar and the public; and, indeed, the four years embracing his administration in the Denver district, that of Belford in the Central City, and that of Judge Hallett in the Pueblo district—a trio of brilliant jurists—marked the zenith of radiance that illuminated the last years of the Territorial judiciary. Judge Wells recently retired from practice, and at the time of this writing he is the official reporter of the State Supreme Court.

Amherst W. Stone was the last appointee to the bench of the Territorial court, and he had not served his full term when Colorado was admitted into the Union and the State judges displaced the former *regime*.

From the organization of the Territory until its admission as a State there were only three Chief Justices: Hall, Harding and Hallett. Hall presided from 1861 to 1863; Harding to 1866; and Hallett—the last of the alliterative line—retained the position during the last ten years of Territorial life.

The Associate Justices who served in the same period were Charles Lee Armour, Allen A. Bradford, Charles F. Holly, William H. Gale, William R. Gersline, Christian S. Eyster, James B. Belford, Ebenezer T. Wells and Amherst W. Stone.

Judge Holly had been a member of the first Territorial Legislative Assembly, served efficiently in the framing of the first laws, and won sufficient popularity to secure local endorsement for his appointment to the judgeship of the Central City district, which then was vacant. He had not been long on the bench, however, before he disclosed a surprising lack of integrity and surplus of immoral habits which finally reached such proportions as to scandalize his official position, and which culminated in his indictment by a grand jury of his own court for a list of offenses involving the gravest moral turpitude. He immediately resigned, upon advice of the bar, the indictment was dismissed, and he left the country.

The other courts of the Territory were Probate Courts, with an elective judge for each county, of limited civil jurisdiction aside from jurisdiction in probate cases, and administration of estates concurrently with the District Courts, and from which appeals lay to the District and Supreme Courts. There were also precinct Justices of the Peace, having the ordinary limited statutory civil and criminal jurisdiction. Other than these there were police magistrates for towns and cities, and legislative authority to create Criminal Courts in cities and counties of prescribed population.

The State Constitution was framed by the members of a convention elected for the purpose, the sessions of which body were held at Denver during the winter of 1875-1876, under the provisions of the enabling act of Congress for the admission of the Territory as a State. After the Constitution was framed and adopted by the convention it was submitted to the people for approval at a general election, and the result being almost unanimous in its favor the instrument was then forwarded to the President of the United States—Ulysses S. Grant—who, upon approving the same, issued a proclamation declaring Colorado to be one of the States of the Union. This proclamation was dated August 1, 1876—virtually one hundred years after the Declaration of the Independence of the United States; and therefore Colorado came to have the titular, distinctive name of "The Centennial State."

The members of the Constitutional Convention were elected almost wholly regardless of political party considerations, as was eminently proper, and the body, of thirty-nine members, comprised lawyers, legislators publicists, farmers, and other men of representative character of varied vocations from the mining, agricultural and urban communities of the Territory. The Constitution as framed and adopted by them was an excellent one. They were guided by consulting copies of the latest constitutions of most of the States in the Union, sundry provisions of which they adapted to the needs and conditions of Colorado, which differed peculiarly in several respects—climatic, industrial and geographical—from those in the States east of the Great Plains.

The original Constitution has been amended in many of its provisions through the constantly increasing tendency of the Legislature to remove the barriers of the fundamental law so as to permit desired legislation. Some of these amendments were indeed necessary, as becomes the case under all constitutions by reason of growth and changed conditions, such as increased population, diversity of business, new and unforeseen enterprises, modes of living, administration of local government, and by social metamorphoses. Others of the frequent amendments of the State Constitution may be regarded as questionable experimentation rather than of general necessity and permanent benefit. In matters of revenue, finance and appropriations especially, the restrictive provisions of the Constitution have proved a salutary bulwark against legislative assault upon the fiscal department, such as would, without constitutional limitation of legislative authority, have bankrupted the State long before now.

Of all the thirty-nine framers of the Constitution (whose names and constituencies are given in an earlier chapter of this volume) only six were living at the time these lines were written. They were Casimero Barela, of Trinidad; William H. Meyer, of San Luis de Culebra; John S. Hough, of Lake City; Clarence P. Elder, Ebenezer T. Wells and Wilbur F. Stone—the last named three being citizens of Denver. Senor Barela, a gentleman of Spanish-Mexican extraction, enjoys the distinction of having served as a member of the General Assembly of the State—for the most part as a Senator—during thirty years, without interval. Mr. Wells and Mr. Stone became judges of the State's first Supreme Court.

The courts of Colorado, as provided for and established by the State's Constitution, are the Supreme Court, District Courts, County Courts, Courts of Justices of the Peace and Municipal or Police Courts. Authority

was conferred upon the General Assembly to establish such other courts as might be deemed necessary.

The Supreme Court has appellate jurisdiction only, excepting that it may exercise original jurisdiction in the issuance of extraordinary writs, such as *habeas corpus*, *injunction*, *mandamus*, *ne exeat*, etc., concurrently with the District Courts.

The District Courts have original jurisdiction in all cases civil and criminal, with appellate jurisdiction as to cases brought up thereto from inferior courts. There are now thirteen judicial districts in the state, and in the more populous of these divisions there are more than one judge for the same district. In the Denver district, comprising the consolidated "city and county of Denver" solely, there are five judges of the court sitting in five several divisions, in one of which all the criminal cases are tried, each of the judges in turn presiding therein for a given period.

The County Courts—one in each county—took the place of the County Courts of the Territory, which were termed in the Organic Act "Probate Courts." The County Courts of our State are courts of record, with jurisdiction in matters of probate and inheritance of estates, as well as limited jurisdiction in most of other civil actions, concurrently with the District Courts, and from which appeals lie to the District and Supreme Courts.

Justices of the Peace have the ordinary jurisdiction of such magistrates in other states, with appeals therefrom to the County and District Courts.

The Constitution fixed the number of judges of the Supreme Court at three, and the length of a single full term of office at nine years. But in the case of those first elected upon the organization of the State the three were to draw lots respectively for the short term of three years, the middle term of six years, and the full term of nine, so that a new judge should come upon the bench every three years. It also provided that the judge thus assigned to the shortest term should preside as Chief Justice to the end of his term, and so on in succession.

The three Supreme Judges kept up with the cases docketed very well for nearly ten years, and until the number increased to such an extent that the Court became overburdened. To relieve these congested conditions a "Commission" of three members was formed to aid in the judicial work; but this, however, failed in the accomplishment expected and was discontinued.

After other experiments had been tried, an appellate court—the Court of Appeals—was created to divide the labor, and which aided materially for several years. However, it was then deemed best to increase the number of judges of the Supreme Court; and therefore, after the adoption of a constitutional amendment for the purpose, that Court was, in 1905, enlarged to seven members, and the Court of Appeals was discontinued. But since that time the business of the Supreme Court had so increased that the Eighteenth General Assembly (of 1911) found it necessary to re-create an Appellate Court of four members, to be appointed by the Governor. The duration of this tribunal is limited to four years, and its work is to be the decision of cases already docketed in the Supreme Court, with the expectation that it will enable the latter to "catch up," and possibly "keep up" thereafter—a consummation ardently hoped for by the bar, as well as the people of the entire State.

Aside from, but yet along with the State courts, are the United States courts—the District Court for Colorado, and the Circuit Court of Appeals for the districts embracing the State. The United States District Court is crowded the year through with business arising within the State, so that the judges of Wyoming and Utah frequently are called in to aid in its disposal. But, as the writer is dealing only with the State Judiciary, this is not the place to review or consider the work of these important Federal tribunals of administration of justice so essential to our government.

It has always been a prevailing belief of the bar, as well as of the conservative class of laymen, that the judiciary should be entirely divorced from party politics. Under our elective system of choosing judges of State courts it is difficult entirely to eradicate political tincture from the complexion of all courts. Many of the ablest lawyers who are put upon the bench have previously been active in politics in their communities, and if any of such lawyers be nominated for the office of judge by a political party, it is presumed by the average voter of that party's ticket that the nominee "belongs" to the party and was chosen with that as one of the chief reasons. Hence it is not easy for such a lawyer, when he assumes the robe of judicial office, suddenly to divest himself of his former accustomed political garments. Yet it is his duty to do so, at least during his incumbency of such office, for nothing is more deplorable, more violative of the ethics of the legal profession, or more discordant to the principles of the administration of justice, than that a judge carry party politics to the bench and manifest it therefrom by participating in party caucuses and conventions while in office. He may intend no wrong, nor be conscious of bias and partiality influencing his judgment, but when litigants, their attorneys, and the observant public see the outward "signs" they judge thereby.

The Judiciary Committee of the convention that framed the Constitution of our State reported to the body a provision that all judges should be chosen at special elections held for that purpose only, and to be at a time different than that of elections for political and other officials. This provision was adopted with little or no opposition, but after the articles of the Constitution has been agreed to *seriatim*, a Revision Committee was appointed to go over the whole instrument carefully and report any changes deemed necessary or expedient. This committee, after due consideration, recommended that the provision for special judicial elections be omitted, for the sole reason that, since the ratification of the Constitution would require a general election, and the election of State officers (other than judges) thereafter in that year, and then the election of a member of Congress (a third election), the proposed judicial election would make four general elections, a short time apart, in that year; and the committee feared that the great expense of all these elections might be used as a club by the opponents of Statehood to frighten the people of the Territory into rejecting the Constitution at the polls. The convention agreed with this view, and so the separate judicial election measure was "cut out." As it resulted, however, the Constitution was ratified almost unanimously, causing the members of the convention not only to rejoice at the approval of their work, but to regret deeply that the art of prophecy had been lost so long ago as the dispersion of Israel.

An occurrence that happened soon afterward may be noted as pertinent to this division of my subject. At the first election for State officers, after the proclamation of admission had been promulgated, candidates for all offices—executive, legislative, and judicial—were nominated by the two parties, as there was a general desire to ascertain which of the political organizations was in the majority at that time. The result was the election of the whole Republican State Ticket. Of the three judges of the Supreme Court elected—E. T. Wells, Samuel H. Elbert and Henry C. Thatcher—Judge Wells had been an unwilling candidate, persuaded to go onto the ticket to give it the strength of his popularity, and also because he was the only candidate for that office on either ticket who had ever held a judicial office, he having previously served a term as Judge of the Territorial Supreme Court. But he had no further desire for the bench at the sacrifice of a lucrative practice at the bar.

Hence, as soon as the members of the Supreme Court had met and organized, Judge Wells sent his resignation to the Governor; and as he had drawn the long term and another election was near at hand, the Governor did not make an appointment for the short interval, but left the choice to the ensuing election. Thereupon the leading members of the bar discussed the question of taking the matter into their own hands, and having found a majority of the bar favorably inclined and the Central Committees of both political parties agreeing thereto, a convention of the lawyers of the State was called, and which met at Colorado Springs. Although a majority of the lawyers present at the convention were Republicans, their action resulted in the nomination of Wilbur F. Stone, who had been a candidate for the same office on the Democratic Ticket at the previous State election. The nominee was elected, with no opposing votes, and served out the term, which ended in 1886. The *Central Law Journal*, of St. Louis, in commenting editorially upon this innovation in choosing a judge for the highest court of the State, commended it as a non-political example that deserved to be followed throughout the country. But the precedent ended with its making, for the politicians took care that it was never repeated.

The Colorado Bar, acting through its State and local associations, has exercised a potent influence in filling the bench, and it can be said truthfully that, as a rule, the judges of all the higher courts of the State have been men of ability and efficiency, learned in the law and impartial in decision, and that no case is remembered since statehood began in which a judge in office brought disgrace upon either the bench or the legal profession.

The Bar of Colorado, during its whole history, has been notable for ability, and for the influence it has exerted in the formation and administration of law and government. The pioneer lawyers, beginning with the gold-diggers of the pre-Territorial days, comprised a number of men whose talent, legal learning and brilliance of mind have rarely been equalled and never excelled since the early Territorial period. Of the pioneer bar and judiciary, Judge Moses Hallett, in consideration of his continuous service of forty years on the bench, may be rightfully said to stand at the head as a jurist. His labors have marked out a distinct trail—amidst all the changing conditions of nearly half a century—throughout the entire field

of jurisprudence embraced by the Territorial, State and Federal courts of Colorado.

Others of the more noted of the pioneer bar also deserve special mention:

General Leavitt L. Bowen had been attorney general of Nebraska. He was learned in constitutional law, a forcible speaker, of overflowing wit, genial humor, and was a general favorite.

Hiram P. Bennet had been Speaker of the Nebraska House of Representatives, and was the first Colorado Delegate to Congress after the organization of the Territory. A persuasive speaker and an upright man, Judge Bennet is one of the only three now living (Judges Hallett and Stone being the others) who were of the practicing lawyers in the Pike's Peak country before the Territorial organization.

Henry M. Teller, whose name is a household word in Colorado, came here soon after the Territory was organized. He was a leading member of the bar until the Territory became a State, when he was chosen to be one of our first two United States Senators, in which capacity he served for nearly thirty years continuously, excepting the period in which he was Secretary of the Interior during the administration of President Arthur. In the forum of the State and the Federal courts and in the United States Senate, Mr. Teller's fame as a lawyer is national in extent.

J. Bright Smith, a Pennsylvanian, was one of the most brilliant lawyers of the early days. He returned to Pennsylvania after six or seven years of residence in Denver. He was a tall, handsome man, and a born lawyer.

His brother, Ed. L. Smith, came here at the close of the Civil War, in which he had served as an officer; and as a practitioner was the equal of his elder brother in legal talent.

Willard Teller, brother of the Senator, was, until his death a few years ago, a prominent member of the bar of the State.

James M. Cavanaugh cast his fortunes with Colorado in the early '60s, coming from Minnesota, which State he had represented in Congress. He was a fluent and eloquent public speaker, and, as "the silver-tongued Irish orator," was for ten or a dozen years one of the most conspicuous figures of the early bar.

George W. Purkins, a son of Virginia, was a talented lawyer, and the most scholarly and polished in manners of all the brilliant men who graced the bar in its earlier years. Mild mannered, soft voiced, gracious, and eloquent in speech of elegant diction, amiable in disposition, he was a contrast to the rude conditions of life in the Rocky Mountains in that day. His short and impromptu address at the burial services of General Leavitt L. Bowen was the most touching and eloquent passage of extemporaneous funeral oratory that was ever heard here as a tribute to the dead.

William S. Rockwell, a former Wisconsin judge; his brother, Lewis C. Rockwell; Gilbert B. Reed; Harley B. Morse; Alvin Marsh; D. D. Belden and Clinton Reed (the latter being still among the living) were of the old Central City Bar. Hugh Butler, one of the most distinguished of the early practitioners and an able member of the Territory's Legislative Assembly, is yet living and in practice. W. C. Kingsley, one of the well-

known and able members of the old-time Bar, and sometime Judge of the Territorial Probate Court of Denver, still is living in our capital city and in active practice, wearing his pleasant, youthful, and little-changed countenance, in striking contrast to his silver-white hair.

Alfred Sayre, a pioneer, was for many years one of our ablest counsellors. George F. Crocker, who had held the office of City Attorney of Chicago previous to his coming here in 1860, was another of our brilliant lawyers. Vincent D. Markham, of Virginia, and his partner, George W. Miller, of Missouri, were leading lawyers. Amos Steek, John Q. Charles, Lewis B. France, Hamilton R. Hunt and Charles W. Wright were of the Denver Bar. Charles Post and Robert S. Morrison, the latter being the author of *Morrison's Mining Law*, were of the Georgetown Bar. Thomas M. Patterson, Charles S. Thomas and Charles J. Hughes, three famous lawyers, came here after the Civil War. Mr. Thomas became Governor of the State a little more than a decade ago, and still is in active practice. Both Mr. Patterson and Mr. Hughes became United States Senators—the latter dying recently while in the midst of his term of service. General Bela M. Hughes, uncle of the late Senator Hughes, also was one of the distinguished members of the Territorial Bar. General Samuel E. Browne was the first United States Attorney of the Territory who served as such, and was one of the best-known and most genial characters in the ranks of the profession. Samuel H. Elbert came to Denver in 1862 as Secretary of the Territory, and afterward was its Governor. He practiced law, and, as I have mentioned above, was one of the first three judges of the Supreme Court of the State.

In southern Colorado, George A. Hinsdale, Wilbur F. Stone, Henry C. Thatcher, George Q. Richmond, Charles E. Gast and John M. Waldron were leading lawyers of the early Pueblo Bar. Stone and Hinsdale organized the "People's Court" in southern Colorado, at Canon City, in 1860, and also practiced in the "Miners' Courts," before the Territorial organization. Hinsdale was a New Englander by birth, a graduate of Michigan University, a strong lawyer, and a Democratic politician. After his death, Hinsdale county was named in his honor by our Legislature, and the Hinsdale public school in the city of Pueblo, where he died, also perpetuates his memory. Stone and Thatcher, both collegians, were members of the Constitutional Convention, from Pueblo County; and also were members first Supreme Court of the State. Afterward, Judge Stone was one of the five justices of the United States Court of Spanish and Mexican Land Claims, and served upon its bench during the thirteen years of the tribunal's existence.

At Trinidad, Albert W. Archibald and E. J. Hubbard were the pioneers. General Spence M. Baird, William G. Blackwood and Caldwell Yeaman were the most noted lawyers of that bar on the southern frontier. Baird had been Attorney General of Texas when it was an independent republic, before annexation to the United States. He had also been an officer in the Confederate service, was a great lawyer, an eloquent speaker, using Spanish as fluently as English. He was a remarkable man in all respects, and of a most upright and noble character. Blackwood, a Kentuckian, had been a judge of the Supreme Court of New Mexico. Aside from his legal attainments, he possessed a mind of rare versatility; was

a musician, a poet, a literary scholar, and was a graceful writer and speaker.

The leading lawyers in the "San Juan Country" of Colorado's Southwest were Adair Wilson, John G. Taylor (a "silver-tongued orator") and Tom Bowen. The latter was a unique character. He came here without a dollar, worked his passage with a wagon freight-train over the mountains into the golden San Juan, began practice without a law book, attended courts on the back of a borrowed mule, became judge of the District Court, and after Statehood was elected to the United States Senate for a fractional term.

Thomas Macon, of the Pueblo or Southern District, and a pioneer of Canon City, had renown as one of the brightest and most successful members of the profession. He was famed as a criminal lawyer, and also was one of the judges of our first Court of Appeals. In later years he removed to Denver, where he distinguished himself in civil practice until his death, a few years since.

George Q. Richmond, of the old Pueblo Bar, is among the living, and in active practice in Denver. He was President Judge of the first Court of Appeals, which as I have stated on a preceding page, succeeded the Supreme Court commission; the latter once having been an adjunct of the Supreme Court.

John M. Waldron grew from boyhood in Colorado and began his legal practice in Pueblo, where he developed into a leader with an extensive practice. He removed to Denver, and soon earned not only wealth, but fame as one of the ablest expounders of constitutional law in the State. He retired from practice in 1910 to enjoy the rest and ease of pecuniary independence.

Edward Oliver Wolcott, a scion of the old colonial family of Wolcotts of Massachusetts and Connecticut, came to Colorado in 1873. He became District Attorney of the First Judicial District; a State Senator, general attorney of the Denver & Rio Grande Railway Company; the leader of the Republican Party; and closed his distinguished career as a United States Senator from Colorado. He was a skillful lawyer, an adroit politician, having a remarkable personality and a wonderful faculty for leadership. He was a ready speaker, with a gift of oratory the chief excellence of which consisted in naturalness of speech and voice and a total absence of all affectation in style and mannerism; and in these respects he had no equal in the State.

During the Territorial period the Third Judicial District included all the southern half of Colorado, from the "Divide" to the line of New Mexico, and from the western boundary of Kansas to the Utah line. Courts were held at Colorado City, Colorado Springs, Canon City, Pueblo, Las Animas, Walsenburg, Trinidad, and at the Mexican villages of San Luis de Culebra and Conejos, over the mountains in the San Luis or Rio Grande Valley; and later, at Del Norte and Silverton in the San Juan country. There were but two judges for that district during all the Territorial years—from 1861 to 1876. The first judge was Allen A. Bradford; the other was Moses Hallett.

Over this vast region, sparsely settled, and larger in area than an average State in the Middle West, the lawyers with the judges and other

officials, witnesses, litigants, Spanish interpreters, and often prisoners and their guards, used to travel from court to court—which sometimes were a hundred miles apart—in a motley caravan of wagons, ambulances, primitive buggies, with some on horseback and others on muleback; across dusty sagebrush-and-cactus plains and over the rocky roads and trails of mountain ranges; fording rivers, in heat, snow, wind and sand-storms; camping at night where there was “wood-water-and-grass”; fishing trout in the mountain streams, and occasionally shooting an antelope; cooking their own “grub,” smoking their pipes around the camp-fire, swapping stories, singing songs, sleeping in their blankets on the ground, holding courts in rude adobe-walled, mud-roofed and dirt-floored buildings; the Judge seated on a soap-box covered with a sheepskin, with a larger box in front of His Honor for a desk; the lawyers sitting on boards laid across boxes or log “chunks,” while the “audience” sat or squatted on the dirt floor and leaned against mud-plastered walls.

The amusement at night—in the Mexican pueblos—consisted of “bailes” or fandangos—gotten up in special honor of the Court—where all the caballeros, senoras and señoritas of the vicinity would gather, and where everybody danced with everybody else without the formality of an introduction, the only etiquette that was strictly observed being that the male dancer, at the end of each set, led his lady partner to a bar or counter at the rear end of the ball-room and there treated her to *dulces* (candy) and a glass of *vino del pais* (native wine of the country).

Through all this round of experience the pioneer bench and bar of Colorado's old Third District, with its mixture of half-Spanish population, had more variety and fun, legal and unlegal, than has ever been known in these later and effeminate days of railroads, automobiles, cities and luxurious court houses.

The lawyers mentioned by name herein constituted a part only of the early bar, which numbered one hundred, perhaps, in the whole Territory at the end of the first ten years, scarcely a score of whom now are living.

Since Colorado's admission into the Union an army of lawyers have populated the State, many coming in from other States, while the law schools of two Colorado universities annually contribute a hundred or more to the number, until at present the total is estimated to reach nearly two thousand, of which the city of Denver contains about six hundred.

All lawyers entitled to practice in the State must be licensed and enrolled by the Supreme Court; and this has been the law ever since the organization of Colorado Territory.

The Colorado State Bar Association is composed of the leading members of the profession, and exercises a potent influence in keeping the bar and its practice up to the highest standard of excellence and the ethics of conduct and character. The Association meets annually, at such central cities in the State as may be designated from one session to another by the organization.

It is to be hoped that one great aim, which should be the chief object of Bar Associations throughout our country, may in time be successfully consummated; and that is the sure preservation of the judicial department of government from the taint and baneful influences of party politics.

The unreasonable severance of the interests of so-called "Capital" and "Labor"—arraying each against the other as class enemies instead of inherent allies for a common end—impels the extremists and the unscrupulous leaders on both sides of this growing and world-wide controversy to resort to political organization, general and local, as a means of aid in the struggle for dominance, resulting in besiegement of the legislative, executive, and judicial departments in turn or all together, so as to menace the stability and integrity of the government and also the peace and cohesion of society; and if the courts—whose function it is to determine the respective rights of citizens in all civil controversies according to strict justice regardless of station, class, or political influences—forget or fail to keep the forum of Justice aloof and clean from all such extraneous influences and considerations, holding the scales of exact justice with a firm and untainted hand, then will the last refuge of the people be broken down, divested of confidence and respect, and become an object of scorn and derision.

As a means of remedying the defects of frequent changes and inefficiency of the ministers of the law in our higher courts, it is submitted that if the term of office of the Judges of our Supreme Court were to be fixed at twenty years, with a salary of ten thousand dollars yearly to each of them, that Bench of last resort in litigation would be occupied by lawyers and jurists of the most exalted eminence in the profession; men of mature years, of profound legal knowledge and thorough training; men of character so high and decision so firm that the court would be clothed with greater efficiency, confidence and dignity, and that branch of our triune government would be, beyond all questions, a Temple of Justice.

Colorado being one of the States of the "New West" offered from its first organization a fitting field for new law, as well as for new adaptations of the old; and new conditions rapidly succeeding, law and its practice and administration, as well as statutory enactments, have undergone many changes. Notwithstanding that Blackstone in his day declared Law to be "the perfection of human reason," infallibility never has been claimed for it; nor is infallibility an attribute of human law any more than it is of Medicine or dogmatic Theology. Hence, under the expounding and application of it by our courts, as well as by legislation, Law has become subject to the universal law of evolution; and our courts have sifted wisely, sorting the old, rejecting here, adapting and adopting there, disregarding cumbersome technicalities, choosing the essential and the good and desirable material for new conditions, and rejecting the outgrown, the narrow, the provincial and the illiberal.

The multifarious resources and industries of the Rocky Mountain country have, from the beginning of settlement and the development, given rise to litigation and legal questions of the most complex and perplexing character. Gold and silver mining-cases involving title to lands and the occupation of the public domain, and also titles to vast tracts of land granted by Spain and Mexico to ancient explorers and colonists, a part of which lands are situate in southern Colorado, with other subjects of litigation peculiar to conditions in this country, such as water-rights for irrigation by means of great canals and reservoirs, costing millions of dollars, and in several cases involving questions of inter-State rights. All

these subjects furnish an almost limitless field of labor for the State and Federal courts of Colorado.

It is a fact beyond dispute that the District and Circuit courts of the United States for the District of Colorado, together with the State Supreme Court, have rendered more decisions of importance and value in the field of jurisprudence embracing mining law, water rights relating to irrigation and other uses, than any other judicial tribunals in the Nation.

In summing up this brief review of the judiciary, laws and lawyers, and their beginnings, progress and present status, it may well be claimed that a comparison of the relative ability and character of the bench and bar of the several States, from sea-coast to sea-coast, judged by the reported decisions of their highest legal tribunals and their recognized reputation, State and National, will justify the assertion that Colorado ranks as an equal with any other State, and is not excelled by any in the Nation. Her brightest members of the legal profession have graced the forum with their learning and eloquence; given integrity, wisdom and dignity to the bench, and won national renown as orators and statesmen in the halls of the American Congress.

CHAPTER XXXI.

THE MEDICAL PROFESSION IN COLORADO.—FIRST PHYSICIAN IN THE PIKE'S PEAK COUNTRY.—PIKE'S TRIBUTE TO HIS COMPANION AND FRIEND, DR. JOHN ROBINSON.—DR. EDWIN JAMES, JOURNALIST AND HISTORIAN OF LONG'S EXPEDITION.—MEDICAL OFFICERS WITH THE EXPEDITIONS OF COLONELS DODGE AND KEARNY.—FIRST PRACTICING PHYSICIAN UPON COLORADO SOIL.—DR. HEMPSTEAD, OF FORT BENT.—FIELD HOSPITAL OF THE ARMY OF THE WEST.—DR. LEVI J. RUSSELL, THE FIRST PHYSICIAN AMONG OUR AMERICAN PIONEERS.—HIS GREAT SERVICES AS A LEADER AND ORGANIZER.—COLORADO'S MEDICAL PRACTITIONERS IN 1859.—OUR FIRST MEDICAL ASSOCIATION.—REPORT OF THE PROCEEDINGS BY WHICH THE "JEFFERSON MEDICAL SOCIETY" WAS ORGANIZED.—THE SOCIETY'S "MEDICAL AND SURGICAL TARIFF."—EARLY DISINTEGRATION OF THE ORGANIZATION.—THE NEW COUNTRY NOT A FAVORABLE FIELD FOR MEDICAL PRACTITIONERS.—EARLY RECOGNITION OF THE HEALTH-GIVING EFFECTS OF CLIMATIC CONDITIONS IN THE FAR WEST.—CIRCUMSTANCES ATTENDING THE FOUNDING OF COLORADO'S FIRST HOSPITAL.—ATTEMPTS TO ORGANIZE AND ESTABLISH MEDICAL SOCIETIES IN THE DECADE OF THE '60S.—FORMATION OF OUR FIRST PERMANENT ORGANIZATION OF PHYSICIANS, THE "DENVER MEDICAL ASSOCIATION," IN 1871.—NAMES OF ITS CHARTER-MEMBERS.—BIRTH OF THE "COLORADO MEDICAL SOCIETY."—FULL REPORT OF THE CONVENTION'S PROCEEDINGS.—CONSTITUTION AND BY-LAWS OF THE ORGANIZATION.—ITS PROSPEROUS CAREER.—DISTRICT AND COUNTY MEDICAL ASSOCIATIONS SUBORDINATE TO THE STATE SOCIETY.—NAMES OF THOSE WHO HAVE SERVED AS PRESIDENT OF THE COLORADO MEDICAL SOCIETY.—ROSTER OF THE DECEASED MEMBERS OF THE SOCIETY.—THE UNOSTENTATIOUS NATURE OF THE LIFE AND WORK OF THE TRUE PHYSICIAN.

BY LEWIS E. LEMEN, A. M., M. D.

Physicians have borne an important part in the making of our State; and the annals of Colorado's primitive years show that our pioneer medical practitioners never were wanting in the qualities of courage and fortitude that were so essential to the settlement, development and upbuilding of the then remote new country. One of the leaders of the company of prospectors whose operations here, in the summer of 1858, gave birth to the immediate cause of the permanent American settlement of the Pike's Peak section, was, as the reader of this volume has seen, a physician, who also became conspicuous among those who founded the first enduring American town within the borders of the present State. Other members of the profession are identified prominently with the earlier history of the Colorado country.

The distinction of having been the first physician to enter our part of the West doubtless should be accorded to Doctor John H. Robinson, who was with Lieutenant Zebulon M. Pike in the latter's historic "Expedition through the Interior of Louisiana," in the years 1806 and 1807. Nothing is known of Dr. Robinson's antecedents, nor of his career after his return to the United States from his venture into New Mexico. He was not of the Medical Corps of the United States Army, but had joined Pike as a "volunteer." General James Wilkinson, in his supplementary instructions to Pike, dated July 12, 1806, said: "Dr. Robinson will accompany you as

a volunteer; he will be furnished with medicines, and for the accommodation which you give him he is bound to attend your sick." In other words, the Doctor was required professionally to "work his passage." But this seems to have been an easy task, as Pike, in his account of the expedition, does not mention any instance of professional service having been rendered by Robinson to a member of the company. Yet it is to be assumed that the Doctor gave attention to the men who were disabled by frozen feet while the party was passing to the summit of the Sangre de Cristo Range, in January, 1807.

Doctor Robinson's purpose in accompanying Pike never has been understood. Certainly it was not of a professional nature; but there are reasons for believing that it was, as in the case of the expedition proper, of a political cast and in some way connected with Aaron Burr's conspiracy. Dr. Elliott Coues, in his annotated *Expeditions of Zebulon Montgomery Pike* (New York: 1895), says, in a note (Vol. II. p. 499), "that our friend Robinson was, in plain English, a spy, is incontestible." To the Doctor's character and attainments Pike pays the following tribute:

"He has had the benefit of a liberal education, without having spent his time, as too many of our gentlemen do, in colleges in skimming over the surfaces of science, without ever endeavoring to make themselves masters of the solid foundations; but he had studied and reasoned. With these qualifications he possessed a liberality of mind too great ever to reject an hypothesis, because it was not agreeable to the dogmas of the schools; or adopt it, because it had all the *éclat* of novelty. His soul could conceive great actions, and his hand was ready to achieve them; in short, it may truly be said that nothing was above his genius, nor anything so minute that he conceived it entirely unworthy of consideration. As a gentleman and companion in dangers, difficulties and hardships, I, in particular, and the expedition in general, owe much to his exertions."

The next member of the medical profession to tread the soil of Colorado was Dr. Edwin James, a man of unusual talents, who was with Major Stephen H. Long, in the latter's expedition to our section of the Rocky Mountains, in the summer of 1820. Dr. James, a native of Vermont, and at that time but twenty-three years of age, had pursued his medical studies at Albany, New York, and also had become well versed in geology and botany, but had not yet engaged regularly in the practice of medicine. Beside serving as the journalist, and later as the historian, of Long's expedition, the Doctor made the greater part of the geological and botanical examinations. He and the two companions with whom he ascended Pike's Peak most probably were the first white men to reach the summit of that famous mountain. The life-work of Dr. James after his service with Major Long has been outlined by Mr. Smiley in another chapter of this history.

Medical officers were attached to Colonel Henry Dodge's military expedition to our mountains, in 1835, and also to that of Colonel Stephen W. Kearny ten years later. But the duties of these were of a routine character, developing nothing of noteworthy interest. Frémont, who had led two exploring expeditions into the Far West before the year 1845, in these, as well as in his similar undertakings in later times, took the chances of escaping need for the knowledge and skill of a man trained in medicine and surgery.

In the summer of 1846, Dr. Hempstead (whose given name is unknown) was one of the dwellers in Bent's Fort, or Fort Bent, as it was called by some, the great trading post of the Bent brothers, which stood upon the left bank of the Arkansas River, nearly midway between the present Colorado towns of La Junta and Las Animas. A large number of white men were employed at or otherwise connected with the establishment; and Dr. Hempstead appears to have been the post's physician. Our knowledge of him is derived from the report of Lieutenant J. W. Abert (of the United States Corps of Topographical Engineers) of his topographical "Examination of New Mexico," in the years 1846-'47, and who was at Fort Bent in August, 1846, having come from Fort Leavenworth, upon his way into the fields of his operations. Dr. Hempstead also was a student of the

geology and botany of the country, as Lieutenant Abert, after mentioning the physician as "one of the residents" of the post, says that he made him "a present of a number of minerals which he had collected," and of "some specimens of the *Myrtinia Proboscidea* and of the *cleome integrifolia*." If Dr. Hempstead's position at Fort Bent was that which is strongly implied in Lieutenant Abert's report, and which hardly can be doubted, he was, so far as known, the first man who practiced medicine upon the soil of Colorado. It is highly probable that the Doctor's fees were paid in furs, which became the equivalent of cash, at good values, when laid down in St. Louis.

The small army under Colonel Stephen W. Kearny and that under Colonel Sterling Price, both of which, coming from the Missouri River, entered New Mexico by way of Fort Bent, and which encamped for a short time upon the left bank of the Arkansas River, in a locality about nine miles below the fort, were accompanied by medical officers. A field-hospital was set up at the camping-place, for treating men sickened in the march across the plains, but was discontinued shortly after the troops had advanced into the enemy's country.

The first and only physician among our pioneers of the foundation-year of 1858 was Dr. Levi J. Russell, one of the three brothers whose names are so intimately associated with the circumstances of Colorado's settlement by men of the Anglo-Saxon type. As the history and results of the Russell brothers' expedition from the State of Georgia into the Pike's Peak country, in that year, for the purpose of searching it thoroughly for gold, are related upon preceding pages of this book, I need not refer to them here. Upon the arrival of other pioneers at the site of the city of Denver, in the autumn of 1858, and where these found Dr. Russell and several of his fellow-Georgians lodged in a solitary cabin—the first structure erected by white men upon the city's site—which they had built to shelter them during the coming winter, his qualities for leadership immediately were recognized by the newcomers. When, toward the close of October, the assemblage of immigrants at the mouth of Cherry Creek decided to organize a town company to establish a settlement in the locality in which they were encamped, Dr. Russell was called to serve as a member of each of the two committees appointed to determine the preliminaries—one to select the site, and the other "to draft a Constitution, and by-laws, to govern the Town Company." At the end of that month, the "Auraria Town Company" was formed with Dr. Russell as its Secretary, and who had suggested the name—that of his home town in northern Georgia—that had been adopted by the organization and also given to the prospective metropolis. The rise of "Auraria City," which was the beginning of Denver, and the first permanent American settlement in the Land of Pike's Peak, then followed.

Dr. Russell had studied medicine at his home in Lumpkin County, Georgia, and there had engaged in practice before his departure for the Far West. He took an active part in the political movement in the spring and summer of 1859 for the organization of a State in the Rocky Mountain country: was the author of a stirring address to the people for whom it was to be formed, setting forth the urgent reasons why such action should be undertaken at once, and appealing for their hearty co-operation in the effort to extinguish the lawless conditions under which they were living: was an influential delegate to the constitutional convention, held early in August of that year, and which framed a constitution for the proposed "State of Jefferson;" and was chairman of its committee that dealt with the subject of "Education and School Funds." The Doctor served as Secretary of the Auraria Town Company—but really as the general manager of its affairs—and also continued to respond to calls for his professional services: until near the close of the summer of 1859, when he and his brothers went back to Georgia for a winter visit at their former homes. The three returned in the spring of 1860, when the Doctor, although continuing in practice, became financially interested in mining in Russell Gulch, in the Clear Creek District, and which had been developed by and named for his brother William, late in June, of the previous year.

In May, 1863, Dr. Russell, with a party of miners, left Denver for the gold-field that had been discovered in the year before in what now is the State of Montana; and therewith his residence in and connection with Colorado was terminated. He remained in the northern country three or four years and then returned to his old home in Georgia. But after several years of practice there he removed to Bell County, Texas. Here he lived the life of a "country doctor" until some five years ago, when he went to the town of Bisbee, Arizona, where, unless his death has occurred recently, he now resides. Mr. Andrew Sagendorf, a Denver pioneer of 1858, by whom the Doctor was well known, is quoted in Smiley's *History of Denver* (Denver: 1901,) as having said:

"Dr. Russell was, and is now, I have no doubt, for the natural character of a man doesn't change much, a peculiarly winning kind of man. He was one of the gentle, humane, considerate men; kindly in disposition and quiet in his ways, but who could be positive and determined enough when necessary. All of us liked him, and he was always giving us reasons for liking him better. I am sure that everyone who knew him here has none but pleasant recollections of him."

There was no lack of physicians in the great multitude of men who came into the Pike's Peak country in 1859. Among the additions in that year to the community located at the mouth of Cherry Creek were Dr. G. N. Woodward (who arrived late in April), Dr. Samuel Reed (coming in May), Dr. J. W. Lee, Dr. Willing, Dr. J. W. Smith, Dr. Drake McDowell, Dr. W. F. McClelland, Dr. A. Steinberger, Dr. McClain, Dr. G. W. Bark, and Dr. W. H. Farnar. Early in the spring of 1859, Dr. A. F. Peck was at the unpromising settlement of La Porte, on the Cache a la Poudre River, "where," according to a card he published in the first issue (April 23, 1859), of the *Rocky Mountain News*, at Denver, "he may at all times be found when not professionally engaged or digging gold." Dr. Peck removed to Denver about six months later, where the medical placers were more promising. Also in 1859, Dr. E. Fitzpatrick was at Arapahoe City, on Clear Creek, a short distance below Golden City; Drs. C. R. Bissell, A. M. Smith, J. Casto, and J. S. Stone were at Mountain City, the forerunner of Central City; and Dr. J. W. McCade was at Nevada Gulch, several miles above the site of Central City.

Dr. Stone, who had taken an active part in political affairs connected with the organization of "Jefferson Territory," was fatally wounded in a duel with L. W. Bliss, Secretary of the "Territory," in March, 1860. The two having been present at a dinner given in Denver to a large party of men who were locally prominent, they had become involved in a political dispute that ran into personalities, and in which Bliss dashed a glass of wine upon the Doctor's face. The latter challenged the Secretary, and fell a victim to his demand for "satisfaction due a gentleman."

Dr. William M. Belt and Dr. Catterson were at Fountain City (the germ of the city of Pueblo) early in the spring of 1860, and may have been there during the previous winter. They were leaders in organizing the town company which, later in that year, made the beginning of Pueblo, then regarded as a settlement separate from Fountain City, which stood on the east side of Fountain Creek.

A fair complement of physicians was included in the thousands of Pike's Peak immigrants of 1860. Some of the newcomers located in Denver and other towns at or near the base of the foot-hills, while the rest preferred the mining communities, several going to California Gulch.

The increasing representation of the profession, together with other considerations, led to the organization of the "Jefferson Medical Society," of "Jefferson Territory," in June, of that year, at Denver, and which was the first association of physicians and surgeons formed in the Rocky Mountain region. The following are copies of the published reports of the proceedings in the meetings in which the society was organized, and contain the interesting "Bill of Rates" adopted by the association, and also the sharp requirements as to the collection of fees:

“Organization of the Jefferson Medical Society.”

“At a meeting of the regular members of the Medical profession of Jefferson Territory, on Saturday, June 2d [1860], Dr. W. M. Belt was called to the chair, and Dr. Drake McDowell appointed secretary. When the following preamble and resolutions were passed:

“Preamble: Whereas, for the advancement of our profession, and our common advantage, and the cultivation of harmony and good feeling, a complete understanding is necessary between the members of the profession relating to fees, ethics, etc., it is

“Resolved, 1st, That we immediately proceed to the organization of a Territorial Medical and Surgical Association, which shall be known as the Jefferson Medical Society. And that our brethren throughout the Territory are cordially invited to coöperate with us.

“Resolved, 2d, That two committees, consisting of two each, be appointed by the chair. The duty of one to be, the preparation of a constitution and by-laws; of the other, the preparation of a code of medical ethics, and the arrangement of a Medical and Surgical tariff.

“Resolved 4th [3d], That a meeting of all regular members be called on Monday evening next, June 4th, at which meeting the committees’ report, and permanent officers are to be elected.

“The Chair appointed on constitution and by-laws, Dr. J. J. Saville and Dr. Sylvester Rankin; on medical ethics and fees, Dr. S. E. Kennedy and Dr. Drake McDowell.

“DRAKE McDOWELL, Sec.

W. M. BELT, Pres’t.”

[Denver] “June 4, 1860.

“The Society met pursuant to adjournment, and was temporarily organized by placing Dr. McDowell in the chair.

“The constitution and by-laws were received and adopted.

“The following officers were then elected for the ensuing year:

“President, W. M. Belt; Vice President, Drake McDowell; Treasurer, J. J. Saville; Secretary, S. E. Kennedy; Curators, the officers with Drs. J. F. Hamilton, A. Cass, and S. Rankin.

“Dr. Kennedy, from the committee on ethics and fees, advised the adoption of the National Code of Medical Ethics, and the following Bill of Rates, which, with amendments, is as follows:

“For a visit in the city, \$3.

“For a visit in the country, per mile, \$1.50.

“For a visit at night, or in stormy weather, double the above rates.

“For a consultation, mileage extra, \$10 to \$25.

“For performing any of the capital operations, \$50 to \$500.

“Reducing a Luxation, \$10 to \$100.

“For any of the lesser operations, \$10 to \$25.

“For tapping, dressing ulcer, applying bandage, introducing catheter or pessary, cupping, etc., \$5 to \$10.

“For delivering a woman in natural labor, \$25 to \$50.

“For a preternatural or instrumental delivery, \$50 to \$200.

“For a prescription, medicine extra, \$2 to \$20.

“For auscultation and percussion, \$10 to \$50.

“For curing a gonorrhea, \$20 to \$50.

“For curing syphilis, \$25 to \$100.

“Prescribing for gonorrhea or syphilis, \$10 to \$20.

“For reducing simple fracture, \$10 to \$50.

“For reducing compound fracture, \$50 to \$200.

“Every member of the faculty is expected to close the account due him immediately on the recovery of the patient, either by having the money paid or taking a note drawing interest at the rate of at least ten per cent. per month. And unless a patient is a bona fide resident the fees should be paid when the visit or other service is made.

“After the discussion of various subjects the society requested the *News* and [the] *Herald* to publish the proceedings, and adjourned to meet on Monday, June 11th.”

“W. M. Belt, Pres’t.”

“S. E. Kennedy, Sec.”

So far as I have been able to ascertain, the foregoing are the only records of the society that have survived. It seems that the organization did not long hold together, and the probability is that it disintegrated in the next year, at the outbreak of the Civil War, and when “Jefferson Territory” was supplanted by the lawful Territory of Colorado.

At that time a number of our pioneer physicians returned to their old home-places in the States, there to be available for service in the armies of the contending sections; and during the next two or three years the further shrinkage of the Territory’s population caused others of the profession to bring their stay in Colorado to an end.

The Pike's Peak country was not a favorable field for medical practitioners; and some of those who were here in the early years found it expedient as well as necessary to give a part of their attention to non-professional pursuits, as in the case of Dr. Peck, who mined for gold when patients were lacking, and of others, who mixed both politics and mining with the practice of medicine. Until after the Civil War, men constituted an overwhelming majority of Colorado's population, and a like ratio of that majority consisted of healthy, hardy and temperate young men, whose calls for a physician's services were few and far apart. Moreover, many of those of our pioneers whose health had been impaired before their migration to the Rocky Mountains soon were relieved and made stronger by the restorative effects of the climate and other conditions of their environment.

The exceptional healthfulness of such conditions in the Far West had been known long before our people occupied the Colorado section. An early reference to this appears in the excellent historical work, *Commerce of the Prairies, or the Journal of a Santa Fe Trader*, by Josiah Gregg, and first published in the year 1844, the author having made his initial journey across the plains in 1831. In the preface to his narrative, Gregg, who was a New Yorker, says:

"For some months preceding the year 1831, my health had been gradually declining under a complication of chronic diseases, which defied every plan of treatment that the sagacity and science of my medical friends could devise. This morbid condition of my system, which originated in the familiar miseries of dyspepsia and its kindred infirmities, had finally reduced me to such a state that for nearly a twelve-month I was not only disqualified for any systematic industry, but so debilitated as rarely to be able to extend my walks beyond the narrow precincts of my chamber. In this hopeless condition, my physicians advised me to take a trip across the Prairies, and, in the change of air and habits which such an adventure would involve, to seek that health which their science had failed to bestow. I accepted their suggestion, and, without hesitation, proceeded at once to make the necessary preparations for joining one of those spring caravans which were annually starting from the United States, for Santa Fé.

"The effects of the journey were, in the first place, to reestablish my health, and, in the second, to beget a passion for Prairie life which I never expect to survive. At the conclusion of the season which followed my first trip, I became interested as a proprietor in the Santa Fé Trade, and continued to be so, to a greater or less extent, during the eight succeeding years. . . .

In the text of the first volume of his work, the author, returning to the subject, goes on to say:

"The Prairies have, in fact, become very celebrated for their sanative effects—more justly so, no doubt, than the most fashionable watering-places of the North. Most chronic diseases, particularly liver complaints, dyspepsias, and similar affections, are often radically cured; owing, no doubt, to the peculiarities of diet, and the regular exercise incident to prairie life, as well as to the purity of the atmosphere of those elevated unembarrassed regions. An invalid myself, I can answer for the efficacy of the remedy, at least in my own case. Though, like other valetudinarians, I was disposed to provide an ample supply of such commodities as I deemed necessary for my comfort and health, I was not long upon the prairies before I discovered that most of such extra preparations were unnecessary, or at least quite dispensable. . . . Though I set out myself in a carriage, before the close of the first week I saddled my pony; and when we reached the buffalo range, I was not only as eager for the chase as the sturdiest of my companions, but I enjoyed far more exquisitely my share of the buffalo, than all the delicacies which were ever devised to provoke the most fastidious appetite."

Such experience, in varying measure, has come to many thousands of invalids since Gregg's time.

Late in 1859, about two years before the Government of Colorado Territory was fully established, Dr. Drake McDowell recognized the need for a hospital in Denver, chiefly for the purpose of affording better facilities for treating cases of injury by accident, and brought it to the attention of the Directors of the Denver City Town Company, who were managing the general affairs of the part of pioneer Denver that was situated on the eastward side of Cherry Creek. It appears that the Directors' interest in

the matter readily was enlisted by the Doctor; for, at a meeting held by them on December 26, 1859, they "resolved," on motion of Richard E. Whitsitt, the Company's Secretary, that

"a Committee of three be appointed Consisting of Messrs. [Amos] Steck, [A. J.] Williams and [P. E.] Peers to wait on Doctor McDowell in Relation to City Hospital."

That the conference with the Doctor was satisfactory to the Directors of the Town Company we have evidence in the following entry in their "Record of Proceedings," dated January 23, 1860:

"On motion of S. S. Curtis

"That the Attorney of the Company, N. G. Wyatt and the Secretary be Empowered to draw up articles of agreement between the Denver City Town Company & their assigns and Doctor McDowell and Submit the Same to the board at their Next Regular Meeting for approval or Rejection Carried"

There is no reference to this committee, nor to any action it may have taken, in the minutes of subsequent meetings of the Directors. What may appear to be an indirect allusion to the subject occurs in the record of the proceedings of such a meeting that was held on August 18, 1860, and in which it is said that

"On Motion of Amos Steck Esq'r

"That the Board assent to the agreement Made between Doctor Drake McDowell & Rich'd Ed Whitsitt in relation to lots Exchanged by said parties and that the President and Secretary be authorized to Receive property Equal in Value from R. E. Whitsitt to be approved by the board and Issue to him a Title to Lots Nos. 7 Seven Eight 8 Nine 9 ten 10 Eleven 11 twelve 12 thirteen 13 fourteen 14 fifteen 15 Sixteen 16 in Block 108 one Hundred & Eight in Denver City.

"Carried"

It might be implied from this entry that the committees which had been appointed on January 23d "to draw up articles of agreement" with Dr. McDowell had consented conditionally to donate to him several town lots as an "endowment" for his proposed hospital; that the Directors, whose company was rich in such subdivisions of real estate, but poor as to money, had confirmed the conditional "grant;" that the Doctor having become dissatisfied with the lots, had exchanged them, with such "title" as he had acquired, for some that were owned by Secretary Whitsitt; and that the Directors now sanctioned this transaction. It also might be implied that the lots to which "a Title" was to be issued to Whitsitt were those which had been intended for Dr. McDowell's contemplated institution. However, the deal may have been without any relation to the Doctor's project.

About the middle of June, 1860, a hospital was opened in Denver, in a small building that was situated on the northward side of Larimer Street, between the streets now known as Nineteenth and Twentieth. This institution, the first of the kind in any of our pioneer towns, and which was called the "City Hospital," was "under the charge of J. F. Hamilton, M. D., Surgeon; O. D. Cass, M. D., Physician; and William H. Bennet, Warden." In an advertisement of the hospital it was said that "competent nurses have been secured," and that "application for admission may be made at the office of Drs. Hamilton or Cass on Blake Street." The institution had been established by a corporation or association of citizens, with Major R. B. Bradford, President; Rev. J. H. Kehler (of the Protestant Episcopal Church), Vice President; Amos Steck, Treasurer; Judge G. W. Purkins, Secretary; and with a "Board of Trustees" consisting of General William Larimer, Jr.; D. P. Wallingford, C. S. Hinekey, Captain Richard Sopris, T. J. Bayaud, Judge William M. Slaughter, Rev. W. Bradford, Dr. J. Hobbs, J. M. Taylor, Dr. B. P. Rankin, and C. A. Cook.

I have been unable to ascertain whether or not Dr. McDowell was identified with this association. No record of the preliminaries of its organization could be found, and none of several Denver pioneers of whom inquiry was made had any knowledge of the circumstances. As the name given the

hospital is the same as that which had been applied by the Directors of the Denver City Town Company to the Doctor's proposed institution, and in view of their negotiations with him in relation to his project, we might assume that there was a direct connection between the one and the other. Yet, if so, it would seem that Dr. McDowell would have figured in the organization, either as one of the physicians in charge of the hospital, or an officer of the association or a member of its Board of Trustees. Some pioneers thought that another small hospital was opened in that year, in a one-story building that stood on the westward side of Sixteenth Street, between Blake and Wazee streets.

The period of time during which the City Hospital was maintained has not been certainly determined, nor are any of the institution's records known to have survived. It was in existence in the autumn of 1861, when Dr. Hamilton was appointed Surgeon of Colorado's First Regiment of Volunteer Infantry, which won renown by defeating the Confederate invasion of New Mexico early in the next year.

The "Provisional Government of the City of Denver," which, in the autumn of 1860, was in control of the municipal affairs of the towns at the mouth of Cherry Creek, had, in November of that year, appointed Dr. Hamilton to be "City Physician," and who thus became the first public physician in what is now the State of Colorado. Although the Doctor was "to serve without pay," he discharged his duties faithfully and capably until the organization of the First Regiment.

After the rise and passing of the Jefferson Medical Society, we hear no more of an effort to establish an association of medical practitioners in the Colorado country until 1864. Having realized the necessity of unity of action and some uniformity as to fees, several of the regular physicians practising in Denver, among whom were Eugene C. Gehrung, W. F. McClelland, E. C. Strode, and Drs. Feld and Gant, met on September 24th, of that year, and took preliminary action for the formation of a medical society. The meeting, which had been called by Dr. Gehrung, was held in his office, on F Street (now Fifteenth), between Holladay (now Market) and Larimer streets. No written record of the proceedings has been preserved; but it appears that whatever organization that may have been effected did not long endure. Of those named above as having been present at the gathering, only Drs. Gehrung and McClelland permanently remained in Denver, each becoming a member of stable medical societies which were instituted early in the next decade.

In his address delivered at the Eleventh Annual Convention of the Colorado Medical Society, held at Leadville, in September, 1881, Dr. F. J. Bancroft, then President of the organization, mentioned that two attempts were made in Denver, late in the '60s, to form a medical society; and remarked that, "owing to internal dissensions," "cohesiveness and durability were not among their attributes." But we are without particulars of these endeavors, as no "minutes" of what was done at the meetings have come down to us.

It was not until the spring of 1871 that the first enduring medical society in Colorado came into existence. At that time there were more than a score of persons in some manner engaged in the practice of medicine in Denver, more or less successfully, but of these only about one-half were of the class called "regulars." Ten of the latter met on April 4th, in the office of Dr. R. G. Buckingham, for the purpose of initiating a movement to bring into being an effective society of regular physicians. It seems, from the language of one of the resolutions they adopted, that they resuscitated a moribund society that had been known as the "Denver Medical Association;" and which probably was one of those referred to by Dr. Buckingham, in his address that I have cited above. The meeting was organized by calling Dr. Buckingham to the Chair and electing Dr. H. W. Williams to serve as Secretary. After the Chairman had stated the object in view, the following preamble and resolutions were submitted and approved:

"WHEREAS, It is to the interest of the profession and the community at large that harmony and unity exist in the profession, therefore be it

"*Resolved*, That we proceed to the reorganization of the Denver Medical Association.

"*Resolved*, That at the meeting appointed for the permanent organization of the Denver Medical Society, all persons who consider themselves to be regular practitioners of medicine, and who do not practice medicine upon an exclusive dogma, are invited to take part in the organization of said society; and that any objection being made to such person or persons taking part in said meeting must be sustained by a majority of those present."

In compliance with an approved motion, the Chairman now appointed Drs. McClelland, Bibb and Humphrey as a committee, to which, on motion of Dr. Bancroft, Dr. Buckingham was added, to draft a constitution and a series of by-laws by which the contemplated society should be governed. The assemblage then adjourned, "to meet at the office of Dr. McClelland on the 11th instant."

At the second meeting, held in accordance with the adjournment of the first, the constitution and by-laws reported by the committee were adopted, and the organization, which the constitution designated as "The Denver Medical Association," was perfected by electing Dr. Buckingham to be President and Dr. Williams Secretary. The physicians who took part in forming this society were Drs. F. J. Bancroft, G. R. Bibb, R. G. Buckingham, J. S. Dickinson, E. C. Gehrung, John Elsner, D. E. Heimberger, — Humphrey, A. L. Justice, D. B. Lionberger, W. F. McClelland, A. Stedman, H. K. Steele, W. H. Thacker, and W. H. Williams. A majority of them had been and continued to be prominent in the civic affairs of Colorado; and the association that they organized became the progenitor of the "Colorado Medical Society," and is to be regarded as the elder brother of all the local medical societies—city and county—now existing in our State.

In the summer of 1871, the Denver Medical Association proposed and invited a meeting of all the regular practitioners in the Territory, to be held in Denver, on the 19th of the following September, to organize a Territorial Medical society. The proposition was generally approved by the profession, and the meeting was held on the appointed day. But as many of the physicians in the other towns were unable to absent themselves from their duties, and also as most of the means of travel were inconvenient, the attendance by non-residents of Denver was not so large as otherwise it would have been. Inasmuch as the published report of the proceedings of the assemblage long has been "out of print," and therefore is unknown to a large number of the present-time members of the profession, I take advantage of this opportunity to reprint it in its entirety, which is as follows:

"In response to a call issued by the Denver Medical Association, for a Territorial Medical Convention to be held in Denver, Colorado, on the 19th of September, 1871, representatives of the Medical Profession from different parts of the Territory of Colorado assembled at the District Court Room in Denver on Tuesday the 19th, at 11 o'clock A. M., for the purpose of organizing a Territorial Medical Society.

"The Convention was called to order by Dr. W. F. McClelland, of Denver, who thereupon nominated Dr. G. S. McMurtrie, of Central [City], to be Temporary Chairman, and by a vote of the Convention the nomination was unanimously confirmed.

"Dr. A. J. Collins, of Georgetown, was chosen Secretary *pro tem*. After which the Chairman in a few practical remarks stated the object of the meeting and invited the hearty coöperation of the whole profession.

"Prayer was then offered by the Rev. J. H. Kehler, of Denver, after which Dr. A. L. Justice, of Denver, offered the following resolution, which was passed:

"*Resolved*, That, for the purpose of organization, all regular graduates of Medicine, residents of this Territory, who acknowledge fealty to the Code of Ethics of the American Medical Association, and who are not objected to, may become members of this Association by signing their names to this resolution at the Secretary's table."

"The following Physicians then came forward, and signed their names to the resolution:

"G. S. McMurtrie, Central City; A. L. Justice, Denver; R. G. Buckingham, Denver; F. J. Bancroft, Denver; I. J. Pollok, Georgetown; W. F. McClelland, Denver; John Elsner, Denver; E. C. Gehrung, Denver; J. S. Dickinson, Denver; S. D.

Bowker, Central City; H. C. Dodge, Denver; H. K. Steele, Denver; W. Edmundson, Central City; A. Stedman, Denver; W. H. Williams, Denver; A. J. Collins, Georgetown.

"Dr. Bancroft moved that all members of the Medical Profession, visiting the Territory, be invited to participate in the exercises of the organization—carried.

"On motion of Dr. Elsner, members of the press were invited to seats in the convention.

"Dr. Buckingham, President of the Denver Medical Association, was then introduced, and delivered the following able address:

"*Gentlemen of the Medical Profession:*

"You have been called together to-day from all parts of our Territory by a resolution of the 'Denver Medical Association', to meet them in council and deliberate upon the propriety of establishing a Territorial Medical Society; to discuss also any important topic that may be brought before us relating to the Science of Medicine and Surgery in its various branches.

"The Physicians of Denver take no especial credit to themselves for the initiatory steps they have taken in an enterprise of so great importance to the profession, and of so high an interest to the community in which they live, yet they can now boast of an organization of intelligent and educated Physicians, who meet together semi-monthly in an associative capacity, for friendly and social intercourse, to interchange views, and to discuss the various subjects connected with the profession, thereby cultivating pleasant and friendly relations, and enlightening each other with their mutual observations and experience, upholding the honor of the profession, and showing to the community that while we expect from them support and sympathy, we are determined to be indefatigable in the pursuit of that knowledge which will enable us to render the assistance they so much need in their hours of sickness and distress.

"Those of us who are old in the profession know full well the sacrifice we have made in the choice of *Medicine* as our pursuit in life. Our days of happiness and comfort are those in which by a timely and judicious application of remedies we are instrumental in snatching some sufferer from the jaws of death; our nights of bliss are the nights of toil and sympathy for the distressed and dying.

"There is no social pleasure physicians do not willingly forego when summoned to the couch of pain; no scene of mirth or amusement is too attractive to detain us when our services are demanded to relieve the distress of our fellows. Not even the sacred worship of the Sabbath is too solemn or important to hinder our obedience to the call to the house of sorrow and mourning.

"What is our recompense for all these sacrifices? Is wealth an object? We cannot but expect a recompense suitable to our station in life, yet it is but rarely we find a physician who has accumulated a fortune by the legitimate practice of his profession, and seldom that he accumulates a sum equal to that, which, with the same amount of physical and mental labor, he might have accumulated in almost any other vocation.

"Do you seek for fame? A whole life spent in visiting the sick, and the establishment of a high reputation in your own immediate neighborhood, were you surrounded by friends and admirers, who could speak no other name than yours in praise, could give you no permanent fame. The veriest *Prince of Humbugs*, who boasts his millions gained by the sale of worthless nostrums, will be exalted a benefactor of his race, when your name would be consigned to *oblivion* were it not for the marble *slab* that shall mark your last resting place.

"Is it honor then you strive for? The *golden calf* is the only object worshipped by the world; and, if your good *deeds*, performed in the dark hours of the night; if your kind acts of charity and benevolence, done for those you may never meet again; if your long and weary watchings by the *bedside*, when 'the arrow flieth by *day*, and the pestilence walketh in *darkness*', could be blazoned in letters of fire on the clondless sky, you might perchance receive a passing *notice* from the busy crowd. But there walketh by you a man in goodly apparel, whose marble palace rears its proud turrets to the sky; whose splendid equipage and liveried footman dash by you with the speed of the wind; whose countless wealth is lavished in the purchase of all the luxuries that gold can buy; he is the *golden calf* that receives the homage of the world.

"Why then all this sacrifice of your time, rest, pleasure, social enjoyment, home *comforts*? There is an inward voice whispering to your heart, I delight to do good; I love to visit the sick; to relieve the distressed. And when the means I employ in the relief of my fellows accomplish the desired end, there is an inward joy that swells the fountain of love within the heart; and that *great fountain* would burst its walls but for the tears that unbidden flow and fill the breast with peace and happiness; an inward consciousness of doing good repays us for all our sacrifices and toil.

"If we *receive* not honor, we will still love our profession, and seek to honor it; and this *desire* is what calls us together to-day.

"Our Territory is rapidly becoming populous and important in the estimation of the people of the States, and *thousands* are turning their attention towards us. Soon it will knock at the door of the Union for admission as a *sister* in the great confederacy of States; and it becomes us as one of the learned professions to make our medical organizations as perfect as possible before the arrival of so *important* an epoch in its history. County Medical Associations, auxiliary to the Territorial

Association, should be established in all the counties where practicable; and where numbers are too small in one county, let combinations be made to effect the purpose, and meetings be held as frequently as possible at convenient points for the accommodation of its members. Do not flag in your efforts to secure your own interests, but see to it that *every* man does his whole duty in this important enterprise, and determine to sustain it at any reasonable sacrifice.

"We have medical men already in our Territory who have received their educations in the best Medical Schools of our country; whose requirements and experience are inferior to none, and who will lead in all the departments of the science of medicine, when Colorado shall be able to number its hundreds of thousands, among whom may be found men of high literary and scientific attainments. And the time is fast approaching when Schools and Colleges of a superior order will be established in our midst. When that time shall have arrived, let us as a body be ready for the transformation, and take our stand among the most favored of the professions, fully prepared to sustain an honorable position and uphold the dignity of our calling.

"A Territorial organization properly conducted will do *much* towards the advancements of our best interests. Social and friendly intercourse will thereby be established; friendships of an enduring character will be cherished; and by frequent interchange of thought and experience, our minds will become expanded and our views on the important topics connected with medicine and the collateral sciences, will become clearer and more enlightened; in a word, our powers of diagnosing diseases, and our aptitude in the application of appropriate remedial agents will be increased, and all will become better practitioners, and consequently more successful in the treatment of the various diseases presented to us for medication.

"If a spirit of *rivalry* as to the success of each county in the perfection of its organization now animate our breast, let not that spirit falter; but go forward at once in the good work before you, until this Territory can boast of an Association combining all the elements of influence and usefulness.

"It is to be hoped that no medical man will connect himself with this organization who is not earnest in the desire to improve his own mind by adding to his present stock of knowledge, in order that he may be able to *contribute* to the advancement of the interests of the Association and the profession at large.

"I trust you will guard well the threshold, and stand firm and steadfast by its constitution and laws, by the Code of Ethics of the American Medical Association, and uphold the dignity and honor of the profession.

"We do not claim for medicine, in its present condition, a position among the perfect sciences; if so, we would stand still, and no further progress would be made; no new contributions to our literature would appear in the pages of our journals. We claim, however, that so far as *facts* have been collected, that it is perfect; for it is based upon observation and experience; and every member of the profession, however humble his position, may contribute towards its *advancement* to perfection.

"We have, in our Medical Literature of the present day, epitome of the thoughts, observations, experience and research of the learned of all the enlightened nations of the earth; and by a careful study, and close and tireless investigation, we can appropriate the result of all their labors.

"You must all be impressed with the fact that there is no "royal road to knowledge", and nothing but close application and unremitting toil will reveal to us the hidden mysteries of science, or store our minds with the rich gems of knowledge that are so profusely scattered along our pathway.

"There was a time in the history of medicine—and that not very far in the past—when every obstacle was placed in the way of a perfect and practical study of the anatomy of the human body. Laws were enacted, to which severe penalties were attached, to prevent the physician from attaining such knowledge as would best fit him for the proper discharge of the obligations devolving upon him.

"No man can thoroughly understand the pathology of disease who is not familiar with the healthful condition of the organs of the body and their functional relations; hence the necessity of a careful study of Anatomy, Physiology and Pathology.

"Let us hope that the time has passed when our Legislators shall so far forget their own good and the safety of the community, as to lay hindrances in the way of the attainment of all that may be necessary to a more perfect knowledge of a profession on which their own happiness and comfort so greatly depends.

"Let me here draw your attention to the fact that the perfect knowledge of medicine as a *science* cannot alone make successful practitioners of Medicine and Surgery. Close clinical observations, careful experience at the bedside of the sick, constant watchfulness and attention to disease in all its symptoms; the verifying of opinions formed by *post mortem* examinations, when practicable, will materially aid us in the performance of the duties of our profession. But in our anxiety to perform speedy and successful cures, let us not forget the "*vis medicatrix nature*".

"It may seem unnecessary to warn you to avoid the fashionable humbugs of the day; and, among the various forms of empiricism practiced upon the people, none is more dangerous than Homœopathy; not because of any intrinsic virtue it may possess, but in consequence of the avidity with which the delusion is embraced by the fashionable, and too often by those who boast of their intelligence. Thus a temptation is continually presented to the unstable and varicious. Homœopathy truly has its army of advocates, yet no physician properly educated can be so ignorant of

the doctrines of Hahnemann, the great founder of the system, in his "*similia similibus curantur*", and more especially in his administration of infinitesimal doses, as to be unable to calculate the small amount of medicine contained in a most potent dilution, or the wonderful effects claimed for the *thirtieth* dilution, in the gravest cases of disease. Any patient mathematician can easily ascertain that the said dilution would require all the solid material of the earth and skies, to contain *one single grain* of the medicine proposed to be administered. The truth is, that when disease is grave enough in its features to require prompt and efficient medication; when there is a necessity for something positive to be done that cannot be accomplished through the imagination, the curative powers of nature or some general hygienic regulations, Homœopathy is powerless for *any* impression for good, and the disciples of Hahnemann, if they make their treatment efficacious, are compelled to resort to the principles and practices of the regular profession.

"In the remarks I have made to you to-day, I have attempted to inculcate correct principles and sound doctrines, which are intended to elevate our profession, to aid in advancing Medicine towards perfection as a science, to increase the means for the relief of the sick and afflicted, and to create harmony and brotherly love among all true members of the Medical profession.

"Thanking you for your kind attention, let me urge upon you the immediate consideration of the important subject of organization, and may the time soon come when the Territorial Medical Association of Colorado will rest upon as firm a basis as the grand old mountains before us, that lift their snow capped summits to the clouds'.

"On motion of Dr. Baneroff, the address was ordered to be incorporated in the proceedings of the society.

"Dr. Justice moved that Dr. Buckingham be requested to furnish a copy of his address for publication.

"On motion of Dr. Steele, a committee of five was appointed to draft a Constitution and By-Laws for the Association. The following committee was appointed: Drs. Steele, Pollok, Bowker, Edmundson, and Smith of Laporte.

"A vote of thanks was extended to Rev. J. H. Kehler for his courtesy in officiating as Chaplain for the Convention.

"Adjourned until 2 o'clock, P. M."

"AFTERNOON SESSION."

"The Convention re-assembled at 2 p. m., Dr. McMurtrie in the chair.

"Dr. Steele, Chairman of the Committee on Constitution and By-Laws made his report, which was accepted and the committee discharged.

"The Constitution and By-Laws were then read a second time, and each article and section acted upon separately, and adopted unanimously.

"CONSTITUTION."

ARTICLE I.

"This Society shall be known as the Colorado Medical Society, and its objects shall be the improvement of its members in scientific and professional knowledge; the association of the profession for purposes of mutual recognition and fellowship; the promotion of the character, interests and honor of the fraternity by maintaining union and harmony, and by aiming to elevate the standard of medical education.

ARTICLE II.

"SECTION 1. Any regular graduate of Medicine and Surgery may become a member of this Society, who, by his adherence to the Code of Ethics of the American Medical Association shows himself entitled to the confidence and fellowship of his medical brethren, and who by his general conduct and mode of life proves himself worthy of being a member of one of the learned and liberal professions.

"SEC. 2. Every candidate for membership shall make application to the committee on admission, such application to be presented and endorsed by a member having competent knowledge of the applicant. If this committee shall report favorably thereon to the Society, the candidate shall be balloted for, and the approving votes of three-fourths of the members present shall be necessary to his admission.

"SEC. 3. Honorary membership may be conferred by a vote of two-thirds of the members present at any regular meeting of the Society, upon worthy and distinguished medical gentlemen.

"SEC. 4. All the members of the Society (honorary excepted) shall at the time of their admission pay an initiation fee of five dollars, and shall also pay such annual contribution as may be presented from time to time by the By-Laws. Said contribution to fall due at the annual meeting.

ARTICLE III.

"The officers of this Society shall be a President, three Vice Presidents, one Secretary, and one Assistant Secretary, a Treasurer, a Librarian, and a Standing Committee on Admission of five members, all of whom shall be elected annually by ballot, and a majority vote, at the regular meeting. They shall severally perform the duties assigned them in the By-Laws.

ARTICLE IV.

"The following standing committees shall be annually appointed by the President, and shall consist each of five members: 1st. An Executive Committee. 2d. A Committee on Finance. 3d. On Publication. 4th. On Medical Ethics. 5th. On Medical Societies. They shall severally perform the duties assigned them in the By-Laws.

ARTICLE V.

"A vote of two-thirds of the members present shall be requisite for the expulsion of a member, which vote shall be had in consequence of a report from the Committee on Ethics, and at the next regular meeting subsequent to the report.

ARTICLE VI.

"Any member wishing to withdraw from the Society shall be permitted to do so on his written request, after he shall have presented the Treasurer's receipt for all moneys due.

ARTICLE VII.

"This Constitution may be repealed, annulled, altered or amended at a regular meeting, subsequent to one in which a proposition to that effect may have been made in writing, by a vote of four-fifths (4-5ths) of the members present.

BY-LAWS.

ARTICLE I.

"SECTION 1. At all meetings the presence of twelve resident members shall be necessary to constitute a quorum.

ARTICLE II.

"SECTION 1. It shall be the duty of the President to preside at all the regular meetings of the Association, enforce a due observance of the Constitution and By-Laws, see that all members of committees and officers perform their respective duties, appoint all committees not otherwise provided for, give the casting vote only, sign diplomas and all other official documents requiring his signature, and perform such other duties as pertain to his office by usage and custom.

"SEC. 2. The Vice Presidents shall assist the President in the performance of his duties, in his absence shall preside in order of seniority, rank being determined by the number of votes cast for each at his election; if the number of votes shall be equal, age shall confer precedence.

"SEC. 3. The Secretaries shall keep the minutes of the proceedings of all meetings, notify officers of their appointments and the duties required of them, sign diplomas and certify to all official acts requiring the same, receive the signatures and initiation fee of newly elected members, transferring all moneys received to the Treasurer, and do such other business as shall be required, or as the Society may from time to time direct in their department.

"SEC. 4. The Treasurer shall receive all moneys due to the Society, and pay all bills endorsed by the Finance Committee and countersigned by the President, keeping correct accounts of the same and making a full and detailed report at the annual meeting in September or October.

"SEC. 5. The Librarian shall have charge of all books, manuscripts, instruments, preparations and other scientific property belonging to the Society, shall keep a catalogue of the same in the usual manner, and report upon the condition of his department to the annual meeting in September or October.

ARTICLE III.

"SECTION 1. Standing Committees shall keep regular minutes of their proceedings, and furnish an authenticated copy to be deposited with the Librarian.

"SEC. 2. It shall be the duty of the Committee on Admissions, upon receiving the names of candidates for membership, to make due enquiry and report such as may be found worthy to the Society, which may thereupon elect them. Should the Committee fail to report upon nominations submitted to them, any member having made such nomination may renew the same directly to the Society, in which case a vote of four-fifths (4-5ths) of the members present shall be requisite to constitute an election.

"SEC. 3. The Committee on Ethics shall hear all complaints of breach of etiquette or violation of moral Ethics. It shall decide all questions of Ethics submitted to it. If any member shall be charged in writing, by any other member of the Society, with any violation of the provisions of the Constitution or By-Laws, or with unprofessional conduct, a copy of such charge shall be furnished him, himself and his accuser cited to appear, when the committee shall proceed to hear the case, reserving its decision to be reported to the Society, when its action may be affirmed by a vote of a majority of the members present.

"SEC. 4. The Committee on Finance shall superintend the monetary affairs of the Society, inspect and audit all bills and accounts of the Treasurer, and make such an assessment by a *pro rata* tax upon the resident members as may be necessary for incidental expenses, subject, however, to the approval of the Society.

"SEC. 5. The Committee on Publication shall superintend the printing of

such papers as may be ordered to be published, so that they may be issued upon uniform paper and under the title of 'Transactions.'

"SEC. 6. The Executive Committee shall digest and prepare the business of each meeting, provide suitable rooms for the purposes of the Society, recommend plans for the promotion of its objects, and in all things protect and superintend the general interests of the Society.

"SEC. 7. The Committee on Medical Societies shall consider and report on the organization of such Medical Societies; or desire to become auxiliary to the Territorial Medical Society, and generally take charge of the department, making at each annual meeting as complete report as practicable.

ARTICLE IV.

"The order of proceedings shall be as follows:

- "1. Opening of meeting by prayer.
- "2. Reading of minutes by Secretary.
- "3. Annual address by retiring President.
- "4. Annual reports of Officers and Committees.
- "5. Election of Officers and Constitutional Committees.
- "6. Annual and special committees' reports.
- "7. Voluntary papers, contributions, reports.
- "8. Annual assessment shall then be laid by resolution.
- "9. Miscellaneous business.

ARTICLE V.

"All vacancies shall be filled *ad interim* by the President.

ARTICLE VI.

"These By-Laws may be suspended by a three-fourths vote at any regular meeting, and they may be repealed or amended by a similar vote, notice of the same having been given in writing at a previous meeting.

"The election of officers was then proceeded with for the permanent organization, under the rules and regulations just adopted. The following officers were elected for the ensuing year:

"Dr. R. G. Buckingham, President; Vice Presidents, 1st, Dr. G. S. McMurtrie; 2d, Dr. I. J. Pollok; 3d, Dr. W. F. McClelland. Dr. A. Stedman was elected Secretary; A. J. Collins, Assistant Secretary; Dr. E. C. Gehrung, Treasurer; and Dr. H. C. Dodge, Librarian.

"Drs. Justice, Holland, Bancroft, Thacker and Williams were elected a Standing Committee on Credentials and Admissions.

"Dr. Buckingham was then escorted to the chair by Dr. McMurtrie, and took his place as President of the Society. In a few appropriate remarks he expressed his thanks for the honor conferred and to further perfect the organization he invited the Vice Presidents to meet him immediately after adjournment to assist in the appointment of committees.

"The following resolution was offered by Dr. Bowker, which was passed and ordered to be appended to the By-Laws:

"*Resolved*, That each member be requested to procure, and send to the care of the Librarian, such Chemical, Pathological and Anatomical specimens, with a careful description of the same, as will be worthy of preservation and promote the interests of the Society."

"Dr. Pollok moved that a committee be appointed to draft a fee bill to govern medical practice in the Territory. Dr. Pollok was appointed chairman of said committee.

"On motion the Society adjourned to meet at 7:30 evening."

EVENING SESSION.

"Met according to adjournment. President in the chair.

"The announcement of the various committees appointed by the President was read by the Secretary.

"By vote of the Society, Dr. Buckingham's name was inserted as one of the committee on Obstetrics.

"Moved and seconded that Dr. Tolles' name be referred to the committee on admission.

"Dr. Neilson's name was handed in with a request for admission. Referred to the proper committee with instructions to report as soon as possible. The committee, after due examination of Dr. Neilson's credentials, reported favorably, whereupon the applicant, by a vote of the Society, was admitted as a member.

"A report was then made by Dr. Pollok, chairman of the committee on fee-bill, 'that the fee-bill of the Denver Medical Association be adopted as a basis for the Territory, subject to such changes in different localities, as the local societies may deem proper.' Report accepted.

"A special committee on publishing minutes was then nominated by the President, consisting of Drs. Collins, Steele, Williams, McClelland and Elsner.

"At request of Dr. Collins, Dr. Justice was appointed in his place as chairman.

"The Society then proceeded to elect delegates to the next meeting of the

American Medical Association. Drs. McClelland, Williams and Holland were declared elected.

"An address was then delivered by Dr. Steele, after which the Code of Ethics of the American Medical Association was read by the same gentleman.

"On motion of Dr. Baneroft, Dr. Steele was invited to furnish a copy of his address for publication.

"The Society then adjourned to meet at Denver, in September or October, 1872, on a day to be specified by the President. A. STEDMAN,

"Recording Secretary Colorado Medical Society."

With the foregoing report of the Secretary the following addenda were published, and which include a list of the names of the society's charter-members:

"STANDING COMMITTEES.

"*Executive*.—Drs. Justice, Baneroft, Steele, Garrott, Smith.

"*Finance*.—Dickinson, Thacker, Williams, Anderson, Gehrung.

"*Publication*.—Collins, McClelland, Pollok, Bowker, Elsner.

"*Ethics*.—Steele, Baneroft, Edmundson, Garrott, Holland.

"*Medical Societies*.—Williams, Dodge, Thacker, Smith, Edmundson.

"*Credentials*.—Justice, Holland, Baneroft, Williams, Thacker.

"SPECIAL COMMITTEES.

"*Surgery*.—Baneroft, Collins, Elsner, Neilson, Heimberger.

"*Practice*.—Anderson, Williams, Holland.

"*Obstetrics*.—Buckingham, Gehrung, Anderson.

"*Medical Literature*.—Stedman, Thacker, Holland, Dickinson.

"*Publication*.—Justice, Steele, Williams, McClelland, Elsner.

"REPORTS;

"*Topography, Climatology and Epidemics*.—Thombs, Garrott, Holland, Smith, Collins, Steele.

"*Materia Medica of Colorado*.—Elsner, Bowker, McMurtrie, Edmundson, Holland.

"*Special Subjects*.—Thacker, Pollok.

"*Mineral Springs of Colorado*.—Dr. E. C. Gehrung."

"G. S. McMurtrie, M. D., Central City.

"A. L. Justice, M. D., Denver.

"R. G. Buckingham, M. D., Denver.

"F. J. Baneroft, M. D., Denver.

"W. F. McClelland, M. D., Denver.

"Irving J. Pollok, M. D., Clear Creek County.

"John Elsner, M. D., Denver.

"Eug. C. Gehrung, M. D., Denver.

"Erasmus Garrott, M. D., Black Hawk.

"J. Swinburn Dickinson, M. R. C. S., Denver.

"S. D. Bowker, M. D., Central City.

"H. O. Dodge, M. D., Denver.

"H. K. Steele, M. D., Denver.

"W. Edmundson, M. D., Central City.

"A. Stedman, M. D., Denver.

"W. H. Williams, M. D., Denver.

"A. J. Collins, M. D., Georgetown.

"T. M. Smith, M. D., Laporte.

"S. C. Tolles, M. D., Central City.

"Eugene F. Holland, M. D., Idaho [Springs].

"William H. Thacker, M. D., Denver.

"Joseph Anderson, M. D., Golden.

"D. Heimberger, M. D., Denver.

"Charles P. Neilson, M. D., Denver."

Secretary Stedman's minutes of the closing session contain no hint of the social aftermath in which the members of the society participated later in that evening, but of which a Denver newspaper, at the end of its account of the convention's proceedings, told as follows:

"At the conclusion of the session the members were invited to partake of a supper furnished by the Denver Medical Association, at Ford's restaurant. The repast was a bountiful one, and did credit to the well-known skill of the caterer. After full justice had been done to the supper, Dr. Justice presented a number of toasts, which were responded to as follows: (1) 'The American Medical Association'—responded to by Dr. McClelland; (2) 'The Colorado Medical Society'—responded to by Dr. Buckingham; (3) 'The Ladies'—responded to by Dr. Bowker; (4) 'Legitimate Medicine'—responded to by Dr. McMurtrie.



GOVERNOR HENRY AUGUSTUS BUCHTEL

"The Press was toasted, and a resolution of thanks offered and adopted for the attention it had given the reports of the convention.

"Other remarks were made, some good stories told, and at a late hour the guests separated."

Having been established upon a substantial basis, the organization prospered; and at the adjournment of its sixth annual meeting, which was held at Colorado Springs, in June, 1876, the year in which Colorado was admitted into the Union of States, the society's active members numbered fifty-two. Among those who had been added to its original membership up to that time were Drs. G. M. Brincker, W. H. Buchtel, H. T. Byford, Samuel Cole, Charles Denison, Samuel Dessellen, H. Harcourt, H. R. Holman, H. A. Lemen, L. E. Lemen, T. S. Massey, J. C. McBeth, C. M. Parker, H. J. Pratt, E. W. Sawyer, J. W. Trueworthy, S. Watson, W. R. Whitehead, W. E. Wilson, and G. Wohlgesinger.

At the fourth annual meeting, at Denver, in June, 1874, the officers of the organization were requested, on motion of Dr. Buckingham, "to draft and file articles of incorporation for this Territorial Society." This was done in May of the following year (1875), the document bearing the date of the 6th of that month; the incorporators being Drs. Henry K. Steele, Augustus L. Justice, William H. Thacker, J. Van de Voort, Arnold Stedman, Eugene C. Gehrung, and Richard G. Buckingham. The certificate provided that the corporate name of the organization should be "The Colorado Territorial Medical Society;" that the seven incorporators should constitute a Board of Trustees, "who shall manage the business and concerns of the said Association for the first year of its existence, or until its next annual election;" that "the term of the corporate existence of the said Association shall be perpetual;" and that "the business and concerns of said Company shall be carried on in all the counties of said Territory, but its chief office shall be in the City of Denver, in the county of Arapahoe, in the Territory aforesaid, unless legally changed to some other place."

The original organization of the society, in 1871, had been followed, in 1874, by the formation of the "Boulder County Medical Association," with Dr. H. O. Dodge as its President, and which was the second association of physicians subordinate to the Territorial Society—the Denver Medical Association having been the first.

Also in 1874, the "Rocky Mountain Medical Society," consisting of physicians residing in the settled parts of the far-southern portion of the Territory and of a few who lived in New Mexico, was organized and incorporated, with Trinidad as its meeting-place, and of which Dr. M. Beshoar was elected President. Four years later, the Colorado members of this organization were admitted into the Colorado State Medical Society; whereupon the southern organization passed out of existence.

The association which practically absorbed this society was our Territorial organization under an amended name. After Colorado's admission into the Union, the title of the latter was changed, by reincorporation, to that of "The Colorado State Medical Society;" the incorporators for this purpose being Drs. J. C. Davis, H. A. Lemen, L. E. Lemen, Jacob Reed (Jr.), Arnold Stedman, W. R. Whitehead, and W. E. Wilson, who were also designated as the society's Trustees, so to serve until the next annual election for officers of the organization. The association as then constituted is the State Medical Society of today; but in principles and purposes the organization is the same as when it was founded, nearly forty years ago.

At the present time there are in Colorado three district and twenty societies of regular practitioners that have to the State Medical Society the relation of constituent organizations. The former are the Eastern Colorado, the Northeast Colorado and the San Luis Valley associations; and the latter are those of Boulder, Clear Creek, Delta, Denver, El Paso, Fremont, Garfield, Lake Larimer, Las Animas, Mesa, Montrose, Otero, Ouray, Prowers, Pueblo, San Juan, San Miguel, Teller and Weld counties. Other counties of the State are individually represented in the society's membership, which now aggregates several hundreds of regular physicians.

The following is the roster of those who have served the society in the office of President:

R. G. Buckingham, of Denver, elected in 1871.
 W. F. McClelland, of Denver: 1872.
 G. S. McMurtie, of Central City; 1873.
 H. K. Steele, of Denver; 1874.
 W. H. Thacker, of Denver; 1875. Died during his term.
 H. O. Dodge, of Boulder. For remainder of Dr. Thacker's term.
 W. H. Williams, of Denver; 1876.
 T. G. Horn, of Colorado Springs; 1877.
 A. Stedman, of Denver; 1878.
 B. P. Anderson, of Colorado Springs; 1879.
 F. J. Bancroft, of Denver; 1880.
 H. A. Lemen, of Denver; 1881.
 P. R. Thombs, of Pueblo; 1882.
 W. R. Whitehead, of Denver; 1883.
 Jesse Hawes, of Greeley; 1884.
 J. C. Davis, of Denver; 1885.
 J. W. Graham, of Denver; 1886.
 S. E. Solly, of Colorado Springs; 1887.
 S. A. Fisk, of Denver; 1888.
 J. W. Collins, of Grand Junction; 1889.
 J. T. Eskridge, of Denver; 1890.
 W. M. Strickler, of Colorado Springs; 1891.
 W. E. Wilson, of Denver; 1892.
 E. J. A. Rogers, of Denver; 1893.
 Hubert Work, of Pueblo; 1894.
 I. B. Perkins, of Denver; 1895.
 Robert Levy, of Denver; 1896.
 L. E. Lemen, of Denver; 1897.
 W. A. Campbell, of Colorado Springs; 1898.
 J. N. Hall, of Denver; 1899.
 William P. Munn, of Denver; 1900.
 R. W. Corwin, of Pueblo; 1901.
 W. W. Grant, of Denver; 1902.
 Thomas H. Hawkins, of Denver; 1903.
 Frank Finney, of La Junta; 1904.
 H. G. Wetherill, of Denver; 1905.
 H. R. Bull, of Grand Junction; 1906.
 H. B. Whitney, of Denver; 1907.
 P. J. McHugh, of Ft. Collins; 1908.
 Leonard Freeman, of Denver; 1909.

The names of the one hundred and eighteen members of the society who have passed from this life since its organization, and the time and place of the death of each, are as follows:

B. F. D. Adams, October 28, 1895; Colorado Springs, Colorado.
 Edwin R. Axtell, December 15, 1899; Denver.
 F. J. Bancroft, January 16, 1903; Denver.
 Herbert L. Barnes, October 16, 1903; Montrose, Colorado.
 H. B. Bartholomew, September, 1908; Denver.
 M. Beshoar, September 5, 1907; Trinidad, Colorado.
 John Boice, January, 1908; Denver.
 S. H. Boone, 1877; Denver.
 S. Arthur Bosanko, November 23, 1895; Leadville, Colorado.
 John Briscoe, 1908; Denver.
 Sherman T. Brown, 1906; Denver.
 P. B. Brumond, September 13, 1899; Idaho Springs, Colorado.
 R. G. Buckingham, March 18, 1889; Denver.
 George W. Burleigh, October 28, 1899; Boulder, Colorado.
 A. J. Cattanch, May 30, 1896; Denver.

George W. Clanahan, October 10, 1907; Idaho Springs, Colorado.
John K. Clark, 1900; Denver.
J. Wallace Collins, October 31, 1901; Victor, Colorado.
Lafayette Conan, October 16, 1903; Boulder, Colorado.
J. B. Cory, January 24, 1892; Denver.
J. S. Craven, 1884; Pueblo, Colorado.
Thomas H. Craven, 1908; Fremont, Colorado.
H. C. Crouch, April 20, 1898; Denver.
F. F. D'Avignon, November 6, 1895; Leadville, Colorado.
J. C. Davis, October 8, 1892; Zurich, Switzerland.
M. J. Davis, 1876; Golden, Colorado.
S. B. Davis, 1875; Central City, Colorado.
J. W. Dawson, January 8, 1899; Canon City, Colorado.
C. W. DeLannoy, February 15, 1905; Telluride, Colorado.
J. B. Devlin, March 14, 1908; Denver.
J. S. Dickinson, 1879; Denver.
Frank Dulin, March 13, 1905; Denver.
J. L. Edwards, August 25, 1906; Florence, Colorado.
Michael Enright, April 8, 1904; Akron, Colorado.
J. T. Eskridge, January 15, 1902; Denver.
F. L. Estill, July, 1907; Colorado Springs, Colorado.
William M. Fay, January 13, 1889; Denver.
Sarah J. Fearing, January 11, 1896; Denver.
J. H. Finck, February, 1894; Boise City, Idaho.
Earl H. Fish, July 12, 1904; Denver.
Russell B. Freeman, March 12, 1902; Denver.
Charles Parker French, February 23, 1905; Denver.
F. W. Gambell, 1882; Leadville, Colorado.
Jacob Gish, September 17, 1908; Olathe, Colorado.
J. W. Graham, February 14, 1908; Denver.
D. S. Griffith, 1886; Durango, Colorado.
W. S. Grimes, December 21, 1889; Denver.
Jesse Hawes, August 4, 1901; Greeley, Colorado.
H. F. Hazlett, March 4, 1900; Pueblo, Colorado.
J. C. Herrick, September 30, 1898; Denver.
D. S. Hoffman, 1908; Ouray, Colorado.
Thomas G. Horn, July 14, 1905; Colorado Springs, Colorado.
L. F. Ingersoll, December, 1906; Grand Junction, Colorado.
H. C. James, January 4, 1890; Ouray, Colorado.
C. W. Jenner, August 11, 1895; Denver.
G. L. Johnson, 1875; Denver.
Lee Kahn, February 26, 1899; Leadville, Colorado.
E. H. Keables, January 6, 1892; Alma, Colorado.
J. M. Keating, November 18, 1893; Colorado Springs, Colorado.
J. G. Keith, August, 1907; Leadville, Colorado.
Donald Kennedy, 1906.
C. B. Knox, 1906; Boulder, Colorado.
K. V. R. Lansingh, 1879; Denver.
Charles C. Lathrop, May 28, 1889; Denver.
Jules LeCarpentier, 1876; Fairplay, Colorado.
R. D. Liggitt, 1900; Mosca, Colorado.
D. B. Lionberger, 1873; Lindsay, Ontario.
S. McAllister, 1900; Rocky Ford, Colorado.
William F. McClelland, 1900; Denver.
Gilbert E. McKeeby, April 24, 1905; Pueblo, Colorado.
A. M. McLean, 1886; Leadville, Colorado.
G. S. McMurtrie, August, 1889; Denver.
Jessie MacLaren McGregor, 1906; Denver.
Charles S. Manly, November 13, 1895; Denver.
L. O. Maffett, April 6, 1900; Colorado Springs, Colorado.
Hugo Mager, July 18, 1897; Denver.

- W. K. Mavity, 1886; Denver.
 W. G. Melvin, August 20, 1908; Onray, Colorado.
 John S. Miller, April 29, 1902; Denver.
 George F. Milne, 1908; Fort Lupton.
 Anna E. Morgan, January 23, 1896; Denver.
 W. N. Nickerson, August 19, 1908; Fort Collins.
 C. M. Parker, August 12, 1892; Denver.
 Clayton Parkhill, January 15, 1902; Denver.
 G. W. Phillips, March 18, 1905; La Junta, Colorado.
 J. W. Powers, March 25, 1895; Salt Lake City, Utah.
 Edmund C. Purcell, 1905; Denver.
 J. C. Ray, March 5, 1907; Denver.
 Charles M. Reed, September 29, 1894; Dotsero, Colorado.
 Jacob Reed, Jr., December 15, 1896; Colorado Springs, Colorado.
 W. W. Robinson, September 27, 1906; Loveland, Colorado.
 Edward P. Rose, November 6, 1895; Salt Lake City, Utah.
 T. F. Rumbold, 1900; St. Louis, Missouri.
 James Brownlee Sanford, March 16, 1904; Denver.
 D. J. Scully, April 21, 1895; Lindsay, Ontario.
 William B. Shuttleworth, December 18, 1903; Denver.
 D. K. Smith, 1906.
 Samuel E. Solly, November 18, 1906; Asheville, North Carolina.
 H. K. Steele, January 20, 1892; Denver.
 C. M. Swartz, October 3, 1908; Pueblo, Colorado.
 R. T. Taylor, 1882; Leadville, Colorado.
 W. H. Thacker, 1876; Denver.
 P. R. Thombs, April 27, 1902; Pueblo, Colorado.
 H. S. Torrance, July 5, 1904; Cripple Creek, Colorado.
 B. St. George Tucker, March 30, 1894; Colorado Springs, Colorado.
 Fred P. Tuxbury, February 6, 1905; Denver.
 W. H. Warn, 1882; Denver.
 I. S. Weyand, April 20, 1905; Denver.
 Floyd A. Whiting, April 16, 1905; Telluride, Colorado.
 E. G. Wicks, August 26, 1892; Denver.
 J. J. Willard, March 29, 1898; Pueblo, Colorado.
 W. H. Williams, March 15, 1893; Denver.
 M. A. Wilson, 1882; Denver.
 I. A. Winternitz, 1908; Colorado City, Colorado.
 L. H. Wood, September 5, 1899; Denver.
 David Wooster, April 8, 1891; Idaho Springs, Colorado.
 R. H. Worthington, May 13, 1892; Denver.
 Seymour T. Zarecki, June 30, 1904; Denver.

As the life and work of the true physician and surgeon are not ostentatious, not spectacular, the results of his services in relieving the sufferings of his afflicted fellow-beings, whether their need for his attention be due to disease or to accident, and restoring them to health in the one case or saving them from death in the other, are not heralded in public places nor blazoned before the eyes of the people. In the foregoing roster of members of the Colorado Medical Society whose careers in this world have been closed, are names of men whose professional achievements in raising the practice of medicine and surgery nearer and nearer to an exact science are familiarly known to the medical brotherhood, throughout our country, and even in foreign lands. The work that these left unfinished fell into able and willing hands, which are carrying it onward intelligently and bravely, inspired by ideals and motives as lofty as any that the mind of man can conceive.

CHAPTER XXXII.

COLORADO'S DEVELOPMENT UNDER STATEHOOD.—UPRISING OF THE UTE INDIANS IN 1879.—TRAGEDY AT THE WHITE RIVER AGENCY.—DISASTROUS EXPERIENCE OF MAJOR THORNBURGII'S COMMAND WHILE MARCHING TO THE RELIEF OF THE AGENCY.—REMOVAL OF THE OFFENDING INDIANS FROM THE STATE.—RAPID INCREASE OF COLORADO'S POPULATION AFTER ITS ADMISSION INTO THE UNION.—RISE AND DEVELOPMENT OF LEADVILLE.—FIRST PORTENTOUS LABOR-STRIKE IN THE STATE.—OPENING OF THE FORMER RESERVATION OF THE OFFENDING UTES TO SETTLEMENT.—OCCUPATION OF ITS AREA BY HOME-SEEKERS, PROSPECTORS AND TOWN-SITE PROMOTERS.—FOUNDING OF THE MUNICIPALITIES OF GRAND JUNCTION, DELTA, MONTROSE, GLENWOOD SPRINGS, MEEKER, STEAMBOAT SPRINGS, HAHN'S PEAK, THE SECOND GUNNISON CITY, AND ASPEN.—CONTEMPORARY ACTIVITIES IN THE "SAN JUAN COUNTRY," IN SOUTHWESTERN COLORADO.—ORIGIN AND RISE OF THE CITIES OF SILVERTON, LAKE CITY, OURAY, TELLURIDE, AND DURANGO.—BEGINNING OF THE GREAT STEEL WORKS AND OTHER MANUFACTURING INDUSTRIES AT THE CITY OF PUEBLO.—ESTABLISHMENT OF THE STATE'S PUBLIC SCHOOL SYSTEM.—FUNDAMENTAL PROVISIONS OF LAW UPON WHICH IT IS BASED.—EDUCATIONAL INSTITUTIONS FOUNDED AND MAINTAINED BY CITIZENS OF THE STATE.—ORIGIN AND DEVELOPMENT OF THE UNIVERSITY OF DENVER AND COLORADO SEMINARY.—ITS TITLE TO THE DISTINCTION OF HAVING BEEN THE PIONEER SCHOOL OF HIGHER LEARNING IN COLORADO.—OUTLINES OF THE HISTORY OF COLORADO COLLEGE, AT COLORADO SPRINGS.—ITS GREAT ADVANCEMENT IN RECENT YEARS.—THE STATE HISTORICAL AND NATURAL HISTORY SOCIETY OF COLORADO.—ITS ORGANIZATION, IN 1879.—MAGNITUDE AND VALUE OF ITS HISTORICAL AND SCIENTIFIC COLLECTIONS.

The general history of Colorado since its Territorial form of government ceased to exist is that of a great economic transformation. Then the parts of the State that were occupied by our people constituted a portion that was small in comparison with those in which wilderness conditions still prevailed. Now there are no productive sections of the State that are not occupied by an energetic and upbuilding population, although in some of these much of the work of utilizing their natural resources remains to be done. From the conditions that existed then to those with which we are familiar now is a long stride: but upon the pages of this volume that are left to me only a passing view of some of the more significant events and their results—certain way-marks in the history and development of the State—may be taken.

But before entering on such consideration of these, let us turn our attention to the last serious Indian-tragedy that was enacted upon the soil of our Commonwealth, and which shadowed the fourth year of Colorado's Statehood. The aggressive characters were White River Utes, whose habitat at that time was the part of the Ute Reservation that now is our Rio Blanco County; and the Agency at which Federal guardianship was exerted over these red men stood near the site of the present town of Meeker, the county seat of that county.

Early in the year 1878, Nathan C. Meeker, who, as stated in a previous chapter of this volume, was one of the organizers of the Union

Colony, which settled around the confluence of the Cache à la Poudre and South Platte rivers and founded our city of Greeley, was appointed Agent at the White River Agency. He entered upon his duties with a sincere desire to improve the condition of his charges by leading them into the ways of orderly and provident modes of living. However, the ideals and theories which he entertained unfitted him for dealing with and controlling such Indians; and the tragedy was due chiefly to his efforts practically to apply to these Utes the methods of management which he had conceived. He was an honest and conscientious man, and also an enthusiast as to the purposes he had in view.

During the two years next before Meeker's appointment, the White River Utes had been in an ugly mood and secretly were planning a revolt against the restrictions under which they were living. Some members of the clan, impatient of the delay in starting a movement to throw off the yoke, had made forays into the Middle and North parks, where they killed several white men; and to these bloody deeds they added various minor depredations, such as stealing horses, slaughtering cattle, and burning the buildings of isolated settlers.

Shortly after Meeker had taken charge of the Agency, a small party of his Utes, led by one whose English name was "George Washington," and some Southern Utes under a petty chieftain named Piah, joined in a stealthy but daring raid out upon the plains, going as far as one of the headwater-forks of the Republican River, where they killed a settler named McLean. On their way homeward, these Indians passed through Denver and thence proceeded into the Middle Park, where, in an altercation with a white man, one of their number was slain. Moving on toward their reservation, they appropriated sundry horses belonging to white dwellers in the park, and when passing the cabin of a settler named Elliott they killed him in his door-yard, in revenge for the death of their comrade. The personal identity of the Indians who formed this band then was unknown, and it was not until the uprising of the White River Utes had been suppressed that it was ascertained that Washington and Piah were its leaders.

When tidings of the depredations of these Indians and of the death of Elliott at their hands were received at Hot Sulphur Springs, the county seat of Grand County, a party of citizens of that town was organized to go to the White River Agency to identify and cause the arrest of the individuals who had killed that settler, and also to recover the stolen horses. When these pursuers reached the Agency and stated the objects of their mission, the Indians demanded that a council be held to consider the charges made by the visitors. This was agreed to, and in the "talk" that followed, the Indian speakers denied having any knowledge of the death of Elliott or of the stolen horses.

Conditions at the Agency at that time bore a threatening aspect, and the weakness of Meeker's authority and influence over his charges was demonstrated by an incident that occurred in this council. The Agent having arisen to speak, the chieftain Colorow, who was the worst of his tribe, angrily declared that the Indians would not hear him, and peremptorily ordered him to sit down and keep quiet—an insolent command with which Meeker thought it best to comply.

After these events the White River Utes manifested less insubordination and remained more tractable until the spring of 1879 was far advanced. But early in the summer of that year various bands of them left the reservation, started forest fires that spread over large areas, stole horses and other property from settlers in the Middle Park and on the Yampa River, and burned dwellings and other buildings in the valley of that stream.

Agent Meeker had told his Utes soon after he entered upon the discharge of his duties that he would not have any soldiers around him. But the depredations by his unruly charges now convinced him that to prevent more serious trouble he must have a military force at the Agency.

He advised his superiors at Washington to that effect, and informed Colorado's Governor, Frederick W. Pitkin, that he was unable to restrain his Indians or keep them within the limits of their reservation without the aid of troops; and therefore he besought the Governor to use his influence at once to have a small force sent to the Agency immediately. Governor Pitkin, whose authority did not extend into the reservation, repeatedly protested in telegrams to Washington against the outrages that were being committed by the White River Utes, and asked that military prevention of their continuance be provided forthwith. But attention to his remonstrances and requests was slow-footed.

In the meantime during that summer all the leaders among the White River clan had been demanding that Meeker be removed. A party of these, headed by a chieftain known as "Captain Jack," and who was an active instigator of the depredations, visited Denver and demanded that Governor Pitkin should exert all his power to procure a change of administration at their Agency; declaring that while they wanted many things they desired above all others to have the White River Agent displaced, and that they would no longer tolerate his purpose and efforts to civilize them and their people.

After needless delay at Washington, General John Pope was instructed to send a small force into the section adjacent to the northeasterly boundaries of the Ute reservation to protect the settlers there. To this duty he assigned Captain Francis S. Dodge, with a company, numbering fifty men, of the Ninth Regiment of United States Cavalry (colored), and which then was stationed at Fort Garland, in our San Luis Valley. Captain Dodge was directed first to give his attention to the Middle and North parks, and by scouting, to head off and turn back the red marauders. By the stealthy means by which our western Indians quickly could obtain information of hostile movements against them, the White River Utes learned that a detachment from the Ninth Regiment was to be used to prevent them from sallying forth from their reservation; and, in common with their red brethren of the plains, they had a peculiar and intense aversion to colored troops, who, in Indian parlance at that time generally were stigmatized as "Buffalo Soldiers." Therefore the employment of such troops for the purpose of menacing and restraining them further excited and angered Meeker's wards. But their forayers managed to avoid Captain Dodge's force and to continue firing the forests and destroying the property of settlers.

In the last month of that summer, some of the settlers who had suffered losses at the hands of these raiders determined to apply civil processes to the marauders; and to that end Major J. B. Thompson, who had owned one of the dwellings that had been burned by them, on the Yampa River, obtained warrants from Judge Beck, of the District Court of the First Judicial District, for the arrest of "Bennett" and "Chinaman," two of the leaders in the depredations. On August 22nd, Sheriff Bessey, of Grand County, left Hot Sulphur Springs with a posse of four men to bring in the pair of offenders, whom they expected to find at the White River Agency. When this party arrived at that establishment neither Bennett nor Chinaman was among those present. As Douglas, the head chief of the clan, in response to questions by Meeker and Bessey, brusquely refused to tell the whereabouts of the culprits and also declared that they should not be produced for the Sheriff, the latter had to return without having served his warrants. This attempt to arrest Utes and have them tried in the white men's courts was denounced angrily by the Indians; and the Sheriff and his posse were accosted and halted by some of them in a threatening manner after the former had left the Agency and were upon their homeward way.

Shortly after Sheriff Bessey's visit, Meeker was assaulted and severely injured by "Johnson," the "Medicine Man" of the White River clan, and who would have killed him but for the interference of some white laborers who were employed at the Agency. This was followed within

a day or two by an attempt by ambushed Indians to shoot one of these laborers as he was plowing in a field near by. The Utes were working themselves up to the precipitation of a general outbreak: and by the incoming of September they had advanced so near to that point that any white man of much experience with Indians and knowledge of their peculiar character immediately would have withdrawn from such a situation that was without military protection.

But Meeker bravely remained at his post, and again reported to the Indian Bureau the condition of affairs at his Agency. Governor Pitkin, who appears to have had a larger appreciation of the probabilities of the situation, notified the Washington authorities, on the day on which he learned of the assault upon Meeker and of the attempt to kill one of the latter's employees, that prompt and vigorous action must be taken to avert a grave outbreak by the Utes.

The last white visitor at the Agency prior to the tragic events that soon followed was John W. Steele, a mail contractor, who arrived there in the evening of September 10th, at which time he advised Meeker to abandon the place at once. The Agent said that he was determined to stay and await the coming of troops, but asked Steele to urge their quick despatch upon his arrival at Rawlins, Wyoming, to which town the contractor was bound. At that time Meeker remarked to Steele:

"I came to this Agency in the full belief that I could civilize these Utes; that I could teach them to work and become self-supporting. I thought I could establish schools, and interest both Indians and their children in learning. I have given my best efforts to this end, always treating them kindly, but firmly. They have eaten at my table, and received continued kindness from my wife and daughter, and all the employees about the Agency. . . . They are an unreliable and treacherous race."

In that evening the Indians started a war-dance in front of one of the Agency buildings, and continued the ceremony to its completion in disregard of the Agent's order to stop it and disperse. This should have been sufficient warning to him and all the other white people at the place to leave it in the next morning, when Steele set out for Rawlins. But Meeker did not appear to realize the imminence of peril. It was learned later that his Indians throughout the previous summer had been buying secretly, as well as trading for, Winchester rifles and ammunition, by which transactions they had become well prepared for enforcing their purposes; and that one white man had sold and delivered to them in a single deal three cases of rifles and a large quantity of fixed ammunition.

Meanwhile the authorities at Washington had acted in the matter of preparing to afford protection to the threatened Agency and to compel the White River Utes to remain within their reservation and to keep the peace, by directing General Philip H. Sheridan to designate and send forward a force sufficient to accomplish these ends. The expedition for these purposes was organized at Fort Steele, which was situated on the Union Pacific Railway, and about eight miles east of Rawlins. The little army consisted of one company of the Fourth United States Infantry, under Lieutenant Butler D. Price; Troop E of the Third United States Cavalry, led by Captain Lawson; Troops D and F of the Fifth United States Cavalry, commanded respectively by Lieutenant J. V. S. Paddock and Captain J. S. Payne. The force as a whole was placed under the command of Major T. T. Thornburgh, of the Fourth Infantry, and was accompanied by Acting Assistant Surgeon Grimes, of Thornburgh's regiment.

Thornburgh and his troops left Fort Steele on September 14th, and marched southward, with orders to reach the Agency, distant about two hundred miles by the route that was to be followed, as speedily as circumstances would permit. But, as they had a supply-train of thirty-three wagons, and the trail was rough, they could not make rapid progress.

Nothing unusual on such a march occurred during the first several days, and nothing serious was anticipated. At a favorable place known as "Old Fortification Camp," on the present Fortification Creek, a northerly branch of the Yampa River, Thornburgh left Lieutenant Price and the infantry company, with some of the wagons, to protect later supply trains and act as a reserve should an emergency arise. The commander then moved on with his three companies of cavalry, and when near the Yampa he met a party of ten Utes, who professed great friendship, and were permitted to continue on what they declared to be a little hunting expedition. Later, the same Indians again were encountered, and offered to serve as guides to the Agency should Thornburgh desire to go there ahead of his troops with a small escort of his cavalrymen. By the advice of Joseph Rankin, the civilian guide of the expedition, and who appears to have been the only white man present who regarded these Indians as spies, and therefore not to be trusted, their offer was declined. But the commander, instead of detaining them as hostages, again allowed them to depart.

After crossing the Yampa River and moving on to and across Williams' Fork, the column of cavalry, comprising one hundred and fifty men, entered the winding valley of Milk Creek, a southerly branch of the Yampa. In the forenoon of September 24th, in a locality about twenty-four miles from the White River Agency—F Troop, of the Fifth Cavalry, and E Troop of the Fourth, being in the advance—a body of White River Utes, numbering between two hundred and fifty and three hundred, concealed upon the hillsides and directed by Captain Jack, surprised the leading organizations of cavalrymen by opening fire upon them from the front and both flanks. After a brief resistance, in which Major Thornburgh and several of his men were killed, and a greater number of the latter were wounded, the two companies, by order of Captain Payne, the ranking officer and now in command of the force, fell back to their wagon-train, which was accompanied by Troop D, of the Fifth Cavalry, and had halted about half a mile distant when the Indians opened fire upon the advance. Here the soldiers used their wagons in constructing a fortification, which later was strengthened by the bodies of their animals as these were killed. The Indians had swarmed after the retreating cavalrymen, and having surrounded the fortified camp they fired throughout the remainder of that day at every living creature that they could see within the improvised defenses. The siege thus begun was continued without interruption until the morning of October 5th.

As an attempt of the troops to sally forth and break through the line of their besiegers bid fair to result in their annihilation, their only recourse was to hold their position until relief could reach them. In the first night, a mounted messenger, who managed to elude the Indians, set out for Rawlins to summon help for his comrades, and reached his destination late in the evening of the next day. In the night of the second day, two men slipped through the Indian line and made off to find Captain Dodge's company of colored cavalry, which then was understood to be moving westward from the Middle Park. These messengers also were successful in their errand, and at an early hour in the morning of October 2d, Captain Dodge with his company dashed up and entered the beleaguered camp without losing any of his men. But even with this reinforcement the number of troops present and fit for duty was too small to warrant an attempt to break away and take their wounded with them. Therefore Dodge and his men remained, and shared the ensuing misfortunes of the siege; and on their first day in the camp many of their horses were disposed of by the enemy.

In the morning of October 1st, tidings of the tragedy on Milk Creek were received at Fort Russell, at Cheyenne, Wyoming; and before noon of that day four troops of the Fifth Cavalry were on their way by rail to Rawlins, from which place they were to march to the relief of their penned-up comrades. The cavalrymen were joined at Rawlins by four

companies of the Fourth Infantry, which were to be conveyed in wagons; and the united forces left that town about noon of October 2d, under the command of General Wesley Merritt. By strenuous and rapid movements, these troops reached the besieged camp early in the morning of October 5th. At a point a few miles back, they had passed the wreckage of a citizen wagon-train which had been laden with supplies for the White River Agency. The Indians had captured it, and every man accompanying it had been killed, stripped, and his body partly burned.

For an hour or so, the Indians, who were at their posts surrounding the camp and within easy range, did not fire a shot; but remained quiet spectators of the reunion of the rescued and the rescuers. General Merritt, with three troops of his cavalry and all his infantry presently advanced, and at a distance of half a mile they were fired upon by the enemy. But they held their ground, and also recovered the body of Major Thornburgh, which, up to that time, had lain upon the field of the first day's fight. About noon (October 5th), a white man, holding aloft a large white flag, appeared among the Indians, whereupon both sides ceased firing. The flag-bearer, who moved forward to General Merritt, was an employe of the Uncompahgre Agency, and had come with a message from the Uncompahgre Utes to their White River brethren telling the latter that they must "stop the war." This episode virtually ended the hostilities, and the Indians scattered over the hills and through the ravines.

General Merritt and his men now returned to the intrenched camp, in which the conditions were fearful, and due largely to the scarcity of water. The wounded men, to whom adequate treatment could not be given previously, were first to receive his attention. Later the entire force was moved back on the trail about a mile to a better location and where there was an abundance of water. After his command had been well rested, General Merritt set out with it on the march to the White River Agency, while the troops under Captains Payne and Dodge started on their way out of the wilderness.

In the meantime Death had stalked at the Agency. On September 29th, the day of the attack on Thornburgh and his troopers, a party of twenty of Meeker's Utes, under the leadership of a brutal and treacherous chieftain named "Douglas," took possession of the establishment, killed all of the white men they found in and near it, burned most of the buildings, and carried off the women and children; and when General Merritt reached the place, on October 11th, it presented a horrible sight. The slain consisted of Agent Meeker; William H. Post, his assistant; Henry Dresser, Frank Dresser, George Eaton, E. W. Eskridge, Carl Goldstein, E. L. Mansfield, Julius Moore, E. Price, Frederick Sheppard, and W. H. Thompson. The attack was made early in the afternoon, and within a short time the frightful work was finished. The bodies of the dead, mutilated and naked, and stretched upon the ground, presented the usual evidences of the horrors of Indian warfare. The body of Eskridge was found upon the trail leading northerly, at a place about two miles from the Agency; and in a pocket of his coat, which was lying near him, was a letter that read as follows:

"White River, September 29, 1 o'clock, p. m.

"Major Thornburgh:—I will come with Chief Douglas and another chief and meet you to-morrow. Everything is quiet here, and Douglas is flying the United States flag. We have been on guard three nights, and will be to-night—not that we expect any trouble, but because there might be. Did you have any trouble coming through the cañon?

"N. C. Meeker, United States Indian Agent."

This was written only an hour or so before Douglas and his band began the assault; and Eskridge hardly was out of sight of the Agency when he was killed. He was accompanied by two Utes, one of whom was a chieftain named "Antelope." That they were his slayers is beyond doubt.

The white women and the few children that were at the Agency secreted themselves in one of the outbuildings when the attack was begun, and from their hiding-place witnessed the death of Agent Meeker and some of the employees; but when the structures were fired they had to flee from their shelter, and then were taken and carried away. We need not dwell upon the circumstances that attended the women's captivity. Through the influence and peremptory intervention of Ouray, the predominating chieftain of the Ute tribe, Douglas surrendered these captives, who were taken to Denver early in November.

In the fighting on Milk Creek Thornburgh's command suffered severely. He and twelve of his men—eight and two-thirds per cent.—were killed, and forty-seven others—thirty-two per cent.—were wounded.

The tragedy produced an intense excitement in every community in Colorado. When tidings of it reached the capital of the State, enough men to form a regiment instantly offered their services to Governor Pitkin, and appealed to him to organize them and immediately send them forth on a campaign of reprisal and vengeance. But the necessity of any military action by the Governor did not appear; as General Merritt's force was equal to the task of preventing the White River Utes from making even an attempt to continue their bloody work, and shortly afterward additional Federal troops were sent into the State.

The slaughters and burnings doubtless would have been extended much farther, and their suppression would have been far more difficult, had it not been for the prompt interposition of the courage, sagacity and great influence of that Indian statesman, Ouray. The uprising had been planned and initiated without his knowledge, and was remotely removed from anything resembling his approval. When the first news of it reached him, at the Southern Ute Agency, he denounced it, declaring that the white people should protect themselves by every means available, and instantly threw himself between them and those of his tribe who were following the leadership of Douglas and Captain Jack.

Ouray had realized, long before, the uselessness and hopelessness of any attempt by his people to resist the advance of the white race. He had assented to successive reductions of the area of the Ute Reservation because he knew that the wise course was to accept the inevitable peaceably; and none of these changes could have been made in peace without the coöperation that he extended. When he heard of the massacre at the White River Agency and of the attack upon Thornburgh's command he sent runners with orders to Douglas and Captain Jack at once to stop fighting; and it was only in deference to his authority that Douglas surrendered the captive women and children without resistance. It was Ouray's wife, Chepita, who first received, sheltered and comforted them after their release, and wept over them because of their misfortunes and condition. The memory of no man who figured in the history of that period in Colorado is held in higher respect or more profound regard by the people of our State who knew his character and worth than that of Ouray, the great chief of the erstwhile Ute nation.

Notwithstanding their responsibility for the atrocities committed, no attempt was made to punish either Douglas or Captain Jack, the leaders in the outbreak; nor was any other Indian who participated in it ever called to account.

At that time the Utes constituted the only tribe of Indians that dwelt within the boundaries of Colorado, and they were divided into several clans. In the next session of Congress there was a long discussion of the general management of Indian affairs, which was followed by a Federal investigation of the causes of the Ute uprising and of its consequences, and this in turn produced a conviction that to prevent further trouble the offending Indians and all of their belongings should be removed from the State. Therefore, by an act of Congress, a new reservation—which became known later as the Uinta Reservation—was assigned to them, in eastern Utah; and the law directed that they should be placed thereon

without unnecessary delay. However, the change was not consummated until the end of the summer of 1881. Most of the Uncompahgre Indians declared that they would not go, and that they would fight if an effort were made to compel them to remove from their ancestral country. They maintained this attitude until past the middle of August, of that year, when they yielded to a military order which directed that force be applied to them, if necessary, to effect the change.

Six years later some bands of the deported Utes, who professed to be on a hunt for game, entered western Colorado, and by their depredations caused general alarm among isolated white settlers upon lands of the old reservation. A military force quickly drove the marauders back into Utah; and since that episode the Uinta Utes have lived at peace with their white neighbors.

The Southern Utes, which, as a clan, had taken no part in the uprising, were left undisturbed, but limited to a small reservation, and still are residing in the far-southwestern section of our State. More than a decade ago lands of their reservation were allotted to them in severalty, and upon which most of them have become agriculturists and stock-raisers.

Colorado's admission into the Union had been followed by a large immigration into the new State, in which, in the census of 1880, there was enumerated a population of 194,327, a number that was almost five times as great as that of the count (39,864) in 1870; and of this increase about one-half had been acquired after the year 1876. A large part of it was due to the fresh and remarkable developments in mining at and around the site of Leadville, which city and its environs within a year or two after the census of 1880 rivalled Denver as to population. The inpouring of people upon their way to the upper extremity of the Arkansas River Valley, coming from all parts of the Union, as well as from foreign lands, began in 1878, in which year, in January, the camp was incorporated and organized as a city, with its present name. But the great tide of fortune-seekers bound for the rich carbonate-district came in 1879.

Yet not all of the newcomers into the State in those years had been led on by the attractions and possibilities of mining for the precious metals. Thousands of them located in the towns and cities, and other thousands anchored themselves to the soil in the agricultural districts in the valleys of the South Platte, Arkansas, and the Rio Grande.

It was in 1880, at Leadville, that Colorado's first portentous labor-strike was originated and developed. For nearly three weeks it caused a general suspension of mining and interfered greatly with almost every other line of business in the district, which, at that time, was seriously depressed by the effects of the financial collapse of the "Little Pittsburgh" and some other over-capitalized mines in the spring of that year. The strike was begun in the morning of May 26th by the night-shift of miners employed in the "Chrysolite Mine," and who demanded an increase in the daily wages of the mine's entire underground-force. This having been refused, all work in the mine was suspended. The strikers now appealed to their fellow-miners in the district to take part in the movement, and in this they were so successful that by nightfall more than five thousand men had joined them and every mine in the Leadville field was idle.

During the next two weeks there were frequent parades and other demonstrations of strength by the strikers; daily conferences of mine-managers with committees from the Miners' Association; open and covert threats and counterthreats, and assemblages of excited and noisy men that crowded the streets of the town; while many of those who constituted the human flotsam and jetsam of the district took advantage of the opportunity to make themselves more conspicuously offensive and to cause great apprehension among owners of property. But in several instances there were near approaches to the precipitation of bloody violence—to a clash

that probably would have developed into a deadly riot with the usual accompaniments of such disasters.

The local authorities continued their efforts to restore and maintain order with their own resources until June 12th, when the Sheriff of Lake County called upon Governor Pitkin for military assistance. In compliance therewith the Governor put the county under martial law on the next day, and authorized the employment of about 300 militiamen to prevent further disorder. Four days later, on June 18th, the strike was terminated voluntarily by the men, and all hands went back to work. Although, on several days, the situation and conditions at Leadville during the strike bore the aspect of great turbulence, and also menaced both life and property, but little physical harm actually was done. The material loss was confined almost exclusively to that which resulted from the idleness of mines and miners during the strike-period.

As related on a preceding page of this chapter, the clans of the Ute Indians who had taken part in the massacre and destruction at the White River Agency and also in the bloody attack on Major Thornburgh's command were removed from western Colorado into eastern Utah at the end of the summer of 1881. In the morning of September 4th, of that year, the lands upon which they had dwelt were thrown open to occupation and settlement by our own people; and a large number of these, anxious to be in the lead, and among whom were many who were well acquainted with the country, had foregathered at various places along the eastern border of the reservation awaiting official permission to enter. Within a few months after the bars had been thrown down that section of the State was overrun by an eager multitude, which consisted in the main of home-seekers, prospectors, and town-site promoters. This movement was followed promptly by the founding of several of the present and important municipalities on the Western Slope.

The birth of Grand Junction, now a beautiful and flourishing city, the county seat of Mesa County, the metropolis of the Western Slope, and situated at the confluence of the Grand and Gunnison rivers, occurred in the autumn of 1881. The honor of having been the founder of Grand Junction must be accorded to George A. Crawford, who had been a conspicuous leader in Kansas in pioneer times in that State, and prominent in its affairs until his removal into Colorado, shortly after the latter's admission into the Union, and who died at Grand Junction on January 26, 1891. In the last half of September, 1881, Crawford, accompanied by William McGinley, R. D. Mobley, M. R. Warner and several other men, proceeded to the junction of the Grand and the Gunnison, and on the 26th day of that month there laid claim to a tract of land for a town-site, embracing 640 acres, in what is now the central part of the city.

Leaving McGinley to protect the claim and to build a cabin upon it, Crawford and his other associates returned to Gunnison, where, on October 10th, the leader duly organized under State law "The Grand Junction Town Company," of which he and J. W. Bucklin, R. D. Mobley, H. E. Rood, M. R. Warner and Allison White were the incorporators. The certificate thereof was approved by the Secretary of State on the 19th day of the next month. By the end of that October, Crawford and Mobley had returned to the town-site, and found the McGinley cabin—the first structure upon the land—ready for occupation. A newcomer in the meantime, named John Allen, had set up his tent upon the site, and was calling the projected town "West Denver". Within a few days after Crawford's return, the additions to the population of "West Denver" had increased it nearly to fifty persons, and included several families. At a public meeting held on November 5th it was decided by a unanimous vote that the name of the town should be "Grand Junction". Later in that month a saw-mill was set up; and on December 10th, Giles & Mitchell came in with a stock of general merchandise and opened the first mercantile establishment in the settlement. The town-site was platted early in January, 1882, by a surveyor named Samuel Wade; and after the com-

pletion of that work the erection of buildings went on rapidly. The general affairs of the community were overseen by the Town Company until past the spring of 1882, when, in June, the citizens voted almost unanimously to incorporate as a city. This having been done, city officers were elected on July 16th. of that year, and immediately entered upon their duties, with Charles F. Shanks as Mayor.

The founder of Grand Junction also had about the same relation, at about the same time, to the beginning of the city of Delta, the county seat of Delta County. Early in September, 1881, Crawford, with M. C. Vandeverter and two or three other associates, decided to lay out a town at the confluence of the Gunnison and Uncompahgre rivers; and for that purpose organized "The Uncompahgre Town Company," the directors of which were Crawford, H. A. Bailey, W. A. Bell, D. C. Dodge, M. C. Vandeverter and R. F. Weitbree. Crawford was elected President and General Manager; Bailey, Assistant General Manager; and Vandeverter, Secretary. The land selected for the site of the projected new town, which then was named "Uncompahgre," measured about 500 acres, and was platted late in December, of that year, by Samuel Wade, the surveyor who did a like work for Grand Junction; and at that time the name of the prospective town was changed to "Delta". A Federal post-office was established there in January, 1882; and in the spring of that year the town was incorporated as "The City of Delta". This was followed by the election of municipal officers, with M. C. Vandeverter as Mayor. Delta has had a healthful growth from the year of its beginning, and always has been in the condition that is implied by the term "comfortable circumstances."

The founding of Montrose, the county seat of Montrose County, and a friendly rival of Delta, was a result of the operations of the Montrose and Uncompahgre Ditch Company, which was organized in December, 1881, and incorporated under State law, by John Baird, T. H. Culbertson, O. D. Loutsenheizer, A. Pumphrey and Joseph Selig. The town-site, covering 320 acres, formally was located on January 20, 1882; but John Baird had erected a frame building upon it about three weeks earlier. The land was laid out for town purposes immediately after its area finally had been determined by H. C. Cornwall, and a plat of it was filed for record on February 25th, of that year. Early in April, a saw-mill was established within easy reach of the town, and thereafter the construction of buildings went on rapidly. In that month the community voted to incorporate as "The City of Montrose," and on May 2nd elected officers for the municipality, with Dr. W. Cummings as Mayor. Thus a locality that was a solitude in November, 1881, had been converted into the scene of a bustling, duly organized and fast-growing town within the time of six months.

The city of Glenwood Springs, which is the county seat of Garfield County, and is widely known as an all-the-year-round "health resort," was founded in August, 1882, by an association styled "The Defiance Land and Town Company," which was formed by Judge H. P. Bennet, of Denver; and John Blake, Isaac Cooper, William Gelder and Frank Enzensperger, who were upon the ground. The company named the embryo town "Defiance;" but in the next year the city's present and more appropriate name was given to the settlement. No building was erected upon the site until the spring of 1883, when John Blake constructed a dwelling, which was followed soon by many other improvements. In the autumn of that year Glenwood Springs became the county seat of Garfield County. The town remained without a municipal government until August 28, 1885, when it was incorporated as a city; and on September 21st, of that year, its first complement of city officers was elected, with J. E. Schram as Mayor.

Meeker, the county seat of Rio Blanco (White River) County, and which was named in memory of Nathan C. Meeker, the Ute Indian Agent who was killed by the Utes at the White River Agency, was the out-

growth of a United States military post that was built on the northward bank of the White River, at a point about four miles above the site of the destroyed Agency, immediately after the suppression of the Ute uprising in 1879. Within a year or two thereafter a number of settlers located near the post; and when, in August, 1883, the establishment was abandoned, and the buildings were sold by auction, the white residents in the locality bought them and converted the aggregation of structures into the town of Meeker. About two years later (October 12, 1885), the growing community was incorporated, and W. H. Clark became the first Mayor of the municipality.

The history of the flourishing town of Steamboat Springs, in Routt County, and of which the site was not within the limits of the Ute Reservation, and which had had a slow development until after that reservation ceased to exist, runs back into the summer of 1874. At that time, James H. Crawford laid claim, and later in that year obtained title from the United States, to a tract of land that included the site of the present town as well as the locality in which are situated the springs from which the settlement took its name. These fountains of health were called "Steamboat Springs" because of the puffing sounds that accompany their ebullitions, and which resembled those made by the exhausts of steam from the engines of steamboats on our western rivers. The springs were known by frontiersmen in the Pike's Peak country long before the American settlement of Colorado. While Steamboat Springs is not the county seat of Routt County, it is the metropolis of that section of the State, is surrounded by a very productive agricultural district, and since it was reached by the Denver, Northwestern & Pacific Railway it has had a large and substantial growth.

The village of Hahn's Peak, the county seat of Routt County, situated at the base of a mountain that bears the same name, in a locality which also was not within the area of the Ute Reservation, was an outgrowth of a mining-camp that was established at its site in the middle '70s. Both the peak and the settlement were named in commemoration of John Henn (the surname having been pronounced as "Hahn" by his associates), a pioneer prospector in that section of country, who had perished near there, from exposure and privation, early in the spring of 1867.

Of the origin of the city of Gunnison, the county seat of Gunnison County, some account has been given in an earlier chapter of this volume. As the reader may recall, there were in the beginning two Gunnisons—Gunnison, proper, and West Gunnison—each the ambitious rival of the other. But this untoward condition of affairs was eliminated soon afterward (in 1880) by the union of the two municipalities, under the corporate name of "Gunnison City," of which F. G. Kubler was the first Mayor. The consolidated town, situated near the eastern border of the late Ute Reservation, profited vastly by the great inflow of people, capital, and activity that followed the removal of the Utes and the opening of that extensive reserve to the uses of civilization. Within the period of three years, Gunnison became a well-built, inviting, and wonderfully busy little city, having all the facilities and equipment that we associate with such a community; and also had become an important railway center. While this pace in the upbuilding of Gunnison was not maintained in subsequent years, the city still remains the thrifty capital of a district that produces various mineral values in large quantities.

The germ of the city of Aspen, the county seat of Pitkin County, was the camp of some prospectors that was established upon the site late in the autumn of 1879, and upon which, before the end of that year, the pretentious name, "Ute City," was bestowed. The site duly was surveyed and platted in the spring of 1880 by B. Clark Wheeler, who discarded "Ute City" and substituted "Aspen" as the name of the prospective city, because of the forests of aspens that flourished in the locality. Although Aspen was without railway communications until the year 1877, it became

quickly a bustling and typical mining-town, and the business center of a region that was opulent in silver; and when it had attained the age of six years it had a population of about 4,000. However, it was not until the end of that decade was drawing near that the abundance and richness of the ores became well developed. Mr. W. F. R. Mills, in a chapter of this volume, ably has recounted the circumstances of the feverish activity which then followed in the Aspen field: which doubled the population of Aspen inside of three years; and which was continued until the mutterings of the storm of 1893 began to be heard. But Aspen still is a handsome and well-kept city, and is noted for its exceptional attractiveness.

The activities of founders and promoters of municipalities during the early years of Colorado's Statehood also were extended, in the period which we have under consideration here, into the southwestern section of the State, a large part of which had been released by the Ute Indians a few years before the close of the Territorial era. The more important of the urban communities in southwestern Colorado that originated in that time are Durango, Ouray, Silverton, Telluride, and Lake City.

Of these, Silverton, the county seat of San Juan County, is the older, as the plat of its survey was made of record early in September, 1874, by a town company that consisted of Francis M. Snowden, N. E. Slaymaker, and Dempsey Reese; the first-named having built a cabin upon the site about three years earlier, and which he was occupying when the town company was formed. Although the settlement had not become anything more than a hamlet of prospectors and miners, it was incorporated in November, 1876, as a town, with Snowden and three other citizens as its trustees. Until the completion, in July, 1882, of a branch of the Denver & Rio Grande Railway from Durango to the mountain-locked town, Silverton made slow progress; and in some of the intervening years it had retrograded. Besides the consequences of its isolation, it was retarded also by the effects of its high elevation and the rigors of its climate. However, its people braved and endured Nature's frowns with more patience after the advent of the railway, which afforded a ready means of conveying to market the abundant and valuable ores of the county. Within a few years thereafter a great and highly profitable development had been made in the mining-industry in the Silverton district; but the rugged town, as well as the entire county, suffered severely by the events of 1893; and from which neither has yet fully recovered.

Lake City, the county seat of Hinsdale County, came into existence in August, 1874, and was incorporated as a town on the 16th day of that month, although its platting was not completed until the following November. During the next five years the results of industrious mining in the vicinity of Lake City brought growth and prosperity to the town, the lack of railway facilities notwithstanding. But these welcome conditions were terminated in 1880, and were followed by a period of acute adversity, in which there was a heavy loss of population and a great shrinking of property values. Inactivity and material decline continued to characterize Lake City until the summer of 1889, when a branch of the Denver & Rio Grande Railway was constructed to it from Sapinero, in Gunnison County. This outlet instilled new life into the town, and the resultant good times were not disturbed until the coming of the disastrous year of 1893. While its recovery has not been rapid, Lake City, which has a fine situation, with several charming lakes near it (hence its name), has been doing well in recent years, and is widely known as one of our very beautiful mountain towns.

The founding of the city of Ouray, which occupies a small amphitheater that is surrounded by lofty elevations, and which is another of our beautiful mountain-towns, was a consequence of discoveries of precious metals in rich lodes in its locality by A. W. Begole, John Eckles, John Munroe, R. F. Long, A. J. Staley, Logan Whitlock, M. W. Cline and other prospectors, in the summer of 1875, and which was followed by a stam-

pede of fortune-seekers into the new district. The site of the town was "taken up" by Cline and Long, who formed immediately the "Ouray Town Company," with Cline as President, and named the organization and the projected town in honor of the great chieftain of the Utes. A few weeks later a preliminary survey and plat of the embryo settlement was made for them by D. W. Brunton. Some cabins were built on the site in the following autumn and were occupied by their owners during the ensuing winter; but most of the claim-owners and prospectors withdrew from the district to abide elsewhere until the cold season had passed. In the spring of 1876 a great throng trooped into the locality of the recent discoveries and began the work of building its capital town, as well as that of developing its mineral resources. Later in that year Ouray was incorporated, and in the next was made the county seat of the lately-formed Ouray County. But, as in the cases of other pioneer municipalities in the "San Juan Country," the growth of Ouray in its earlier years was hampered by its isolation from railway communications. However, this drawback ceased to exist when a branch of the Denver & Rio Grande Railway was completed from Montrose to the town, late in December, 1887.

The City of Telluride, county seat of San Miguel County, and a near neighbor of Ouray, also was an off-spring of mining activities. While the region embraced by the lines of the present county had been entered by prospectors in earlier times, nothing of direct importance in mining was done there until the year 1875, when a beginning of profitable work in placers was made in the section drained by the upper reaches of the San Miguel River. Shortly after the lode discoveries at Ouray became known, the eastern parts of San Miguel County (as now formed) were entered by eager prospectors, some of whom, during the next two years, discovered several lodes that proved later to be of great value. One of the results of the local developments in that period was "San Miguel City," a hamlet occupying land adjacent to the site of Telluride, and which, in subsequent times, was practically absorbed by the latter. Telluride originally was christened "Columbia," and was founded in January, 1878. Under that name the settlement was incorporated in July, of that year, and its citizens elected George N. Hyde to be their first Mayor. Although the town had been made a corporation and had a Mayor, it was not duly platted until August, 1883, at which time the name "Telluride" was substituted for "Columbia." The city, which is situated in the heart of an exceedingly rugged section of country, progressed slowly throughout the decade of the '80s, during which period it had not the benefits of a railroad. But in November, 1890, the track of the Rio Grande Southern Railway, an ally of the Denver & Rio Grande Railway, and of which Otto Mears, the "Pathfinder of the San Juan Country," was President and moving spirit, entered Telluride and gave vigor and robust prosperity to the retarded town. But these conditions were seriously blighted in 1893; and Telluride, in common with the other mining communities in that quarter of our State, has not yet fully regained all that it lost in that memorable year. Yet, and also in common with the others, Telluride faces the future resolutely and sanguinely.

The beginning of the City of Durango, the county seat of La Plata County, and the metropolis of the "San Juan Country," was made in the forepart of September, 1880. As related in an earlier chapter of this volume, the section of Colorado in which Durango is situated was visited by American prospectors in our pioneer times, but who failed to establish themselves in it. Nothing effective further was done toward determining the extent and value of its mineral resources until 1870, when the country was entered by another party of American prospectors, of whose operations, which did not result in permanent occupation, some account also has been given in an earlier chapter. The section was a part of the Ute Indian Reservation until the autumn of 1873, when, by an act of Congress, approved on September 3d of that year, ratifying a treaty with

the Utes, under which the latter ceded that portion of the reservation to the United States, it was thrown open to permanent occupation by whomsoever desired to enter and take possession. During the next twelve months, a swarm of prospectors staked out mining-claims, many of which later proved to be of great value. The miners were accompanied by almost an equal number of homeseekers, who planted themselves upon the rich valley-lands, in advance of surveys, but holding the soil under rights that were conceded to such "squatters;" and soon afterward stockmen appeared with their herds and flocks. Although the country was far isolated from the conveniences of civilization, and was very difficult of access, it prospered steadily, and by the end of the decade of the '70s the need for a capital city had been developed. Near the end of the summer of 1880 an association to provide for that need was formed under the name and style of "The Durango Town Company" to lay out a city on land already selected for that purpose. The site was surveyed and platted in the following September; and by the end of that month the nucleus of a town had arisen upon the land. In the meantime the Denver & Rio Grande Railway Company had begun constructing an extension of its system into the "San Juan Country" on a course lying along the Colorado-New Mexico boundary. The road was completed to Durango on July 27, 1881; and before the end of the following March it was extended to Silverton and opened to traffic to that point also. Durango now entered upon a period of abounding prosperity, in which it grew rapidly, and presently became a great center of smelting operations, as well as of widespread commercial relations—a position it has held ever since. It is a beautiful and well-built city, in a fine situation, and its borders join highly cultivated and highly productive lands in the valley of Los Animas River.

Another important consequence of the widespread activities in Colorado in the period which we are considering here was the formation of a corporation to develop the great coal measures of southern Colorado and to build at Pueblo a large establishment for converting iron ore into the various merchantable forms of iron and steel. For this purpose the "Colorado Coal & Iron Company" was incorporated in 1879 by interests more or less associated with those identified with the Denver & Rio Grande Railway Company. Having acquired a large area of land adjoining Pueblo, on the southward side of the Arkansas River, the Coal & Iron Company, in 1880, began the erection of its plant on a part of the tract, and on another laid out a town—now incorporated in the City of Pueblo—for the accommodation of its future employees, and to which was given the name "Bessemer." Within a short period afterward the task of opening and equipping coal mines in the southern district was put under way. During the years that have passed since that time the operations of the corporation (now the Colorado Fuel & Iron Company) have been expanded to vast proportions. Its manufacturing establishment at present is one of the Nation's great producers of iron and steel, and the annual yield of its coal mines aggregates an enormous tonnage, which is distributed over Colorado and other far-western States.

These enterprises were followed by the construction of smelters and various other industrial establishments at Pueblo, and which, by their development and that of the iron and steel works, have made that city one of the great centers of manufacturing between the Missouri River and the Pacific coast.

But not all of the thought and energies of our people were applied to locating and operating mines of the precious metals and of coal, to the founding of towns, to establishing great manufacturing and commercial enterprises, or to other economic undertakings, in the early years of Colorado's Statehood. In the midst of the hurry, enthusiasm and bustle of those years there were some who gave much effective attention to the interests and welfare of Education.

The first of these that are to be considered are the members of the

State's First General Assembly. Making use of the wise "Act to provide for Common Schools" by the Eighth Legislative Assembly of the Territory, approved by Governor McCook on February 11, 1870, and to which I have referred in a preceding chapter of this volume, our first State Assembly, by an "Act to Establish and Maintain a System of Free Schools," approved by Governor Routt on March 20, 1877, broadened and strengthened the provisions of the Territorial legislation in behalf of popular education.

The act of Congress to enable the people of Colorado to form a State Government and to be admitted into the Federal Union, together with the State's Constitution framed thereunder, had prepared the way for establishing and maintaining public schools in the new State. The enabling act provided:

"That sections 6 and 36 in every township (of land), and where such sections may have been sold or otherwise disposed of by any act of Congress other land equivalent thereto in legal subdivisions of not more than one quarter section, and as contiguous as may be, are hereby granted to said State for the support of common schools.

"That the two sections of land in each township herein granted for the support of common schools, shall be disposed of only at public sale and at a price not less than two dollars and fifty cents per acre, the proceeds to create a permanent school fund, the interest of which to be expended in the support of common schools."

I may remark here, in passing, that of the lands thus granted, the State still owns more than three millions of acres; and of these holdings, about two-fifths are leased for productive purposes.

The State's Constitution contained, among other provisions concerning public schools, the following:

"The public school fund of the State shall consist of the proceeds of such lands as have heretofore been, or may hereafter be, granted to the State by the general government for educational purposes; all estates that may escheat to the State; also all other grants, gifts or devises that may be made to this State for educational purpose."

"The public school fund of the State shall forever remain inviolate and intact; the interest thereon, only, shall be expended in the maintenance of the schools of the State, and shall be distributed amongst the several counties and school districts of the State, in such manner as may be prescribed by law. No part of this fund, principal or interest, shall ever be transferred to any other fund, or used or appropriated except as herein provided."

"Neither the general assembly, nor any county, city, town, township, school district, or other public corporation, shall ever make any appropriation, or pay from any public fund or moneys whatever, anything in aid of any church or sectarian society, or for any sectarian purpose, or to help to support or sustain any school, academy, seminary, college, university, or other literary or scientific institution, controlled by any church or sectarian denomination whatsoever; nor shall any grant or donation of land, money, or other personal property, ever be made by the State, or any such public corporation, to any church or for any sectarian purpose.

"No religious test or qualification shall ever be required of any person as a condition of admission into any public educational institution of the State, either as a teacher or student; and no teacher or student of any such institution shall ever be required to attend or participate in any religious service whatever. No sectarian tenets or doctrines shall ever be taught in the public schools, nor shall any distinction or classification of pupils be made on account of race or color."

The Second General Assembly of the State, by an act to amend the act of March 20, 1877, still further amplified the State's provisions for free education, and also reinforced the authority of those charged with the duty of directing the affairs of the system.

Since that time there has been some additional legislation on the

subject; but the foundations and the fundamentals of the State's great establishment of public schools still are those that were laid down and defined by the legislation which I have cited here.

In a preceding chapter (XXVIII) of this volume I have related the history of the beginning and rise of our State's public institutions for higher education, born in Territorial times, and not robust when taken over, but which were placed upon a strong footing immediately after the change from the Territorial to the State form of government. However, Colorado's generous provisions for education, as exemplified by the system of common schools and the higher establishments, were not the only means for that purpose which were brought into existence near the time in which the Territory was succeeded by the State. The others, that are public in one sense, owe their origin and great expansion to the foresight, public spirit and zeal of groups of citizens organized to found, develop and maintain seats of advanced learning.

Of these institutions, the foremost is the University of Denver, a Christian institution, established and maintained under the auspices of the Methodist Episcopal Church, but non-sectarian in practice, and which aims to become to Denver that which Harvard is to Boston, Columbia to New York, and the University of Chicago to Chicago. It is the great outgrowth of a small beginning inaugurated in 1863 by Methodists of Denver, who, in that year, under the leadership of Dr. John Evans, then the Governor of Colorado Territory, laid the foundation of the first advanced non-sectarian school in Colorado—the "Colorado Seminary."

The plans and purposes for the academy were formulated in 1863; and by an act of the next Legislative Assembly of the Territory, which was approved by Governor Evans on March 5, 1864, Robert Berry, H. Burton, William N. Byers, A. B. Case, Jerome B. Chaffee, John M. Chivington, C. A. Cook, John Cree, J. B. Doyle, Samuel H. Elbert, Governor John Evans, A. J. Gill, Henry Henson, Warren Hussey, Lewis Jones, Milo Lee, W. A. H. Loveland, John T. Lynch, David H. Moffat, J. H. Morrison, W. D. Pease, Edwin Scudder, John W. Smith, Amos Steck, J. G. Vawter, Richard E. Whitsitt, Amos Widner, and O. A. Willard were "constituted a body politic and corporate for the purpose of founding, directing and maintaining an institution of learning to be styled the 'Colorado Seminary.'" The act made the twenty-eight incorporators the trustees of the institution, and provided for their division into four groups of seven members each, the groups to hold office for one, two, three, and four years, respectively; that their successors should be appointed by that annual Conference of the Methodist Episcopal Church within the bounds of which the City of Denver may be included; that no test of religious faith ever shall be applied as a condition of admission into the Seminary; gave authority to confer degrees; and also stipulated that all property of the corporation acquired for and necessary to the fulfillment of the Seminary's purposes in the best manner shall be free from all taxation while exclusively for such purposes.

A site for a home for the Academy, on the southwesterly corner of Fourteenth and Arapahoe streets, in Denver, was acquired in the spring of 1864, and thereon a very creditable building, which also was a large structure for that period in Denver, was erected later in that year, its cost having been defrayed by contributions from the Trustees and other citizens of the town and of other parts of the State. The school was opened on November 16, 1864, under the direction of Rev. George Richardson, and with an attendance of pupils about as large as it could accommodate. It was continued, but with decreasing income, until late in the spring of 1867, when, in consequence of exhausted financial resources and an accumulation of debts, it was closed, notwithstanding the earnest efforts of its numerous Trustees to provide for its maintenance. The conditions required that the property be sold, and at its sale several months later it was "bought in" by Governor Evans; and after that event the Colorado Seminary remained in a state of suspended

animation through the next dozen of years. But the corporate organization was kept alive and continued throughout that period of inactivity.

When early in December, 1867, the Territorial Capital was removed from Golden to Denver, the Academy building was made to serve a purpose quite different from that for which it was erected. It was rented by the Territory at that time, and was used by the lower division of the Legislative Assembly and by the Territorial executive officers during the ensuing winter.

In 1879 the Colorado Seminary was revived and reorganized under its original charter. For this purpose the Conference of the Methodist Episcopal Church appointed a new Board of Trustees, consisting of twenty-eight members, some of whom had served in the same capacity in the earlier years. This Board organized by electing John Evans, President; J. W. Bailey, Vice President; and Rev. Earl Cranston, Secretary. The first act of Governor Evans was to return, as a gift, the Seminary property, which he had "bought in" to save it twelve years before; and to this assistance he added \$3,000 in money for procuring laboratory apparatus. For the general rehabilitation of the institution, Vice President Bailey gave \$10,000 in cash, and soon afterward increased the sum to \$13,000; and business men, as well as other citizens of Denver, contributed liberally for the same purpose. The old building now was demolished to make way for a larger and better structure on the site, and which was completed in 1880, under the direction of Rev. Earl Cranston, who was Chairman of the Building Committee. This edifice has survived the many changes that have been made in that section of the city.

In that year (1880), the active promoters of the Seminary formed a second but co-ordinate corporation, under the name "University of Denver," of which the articles of incorporation provided, in part, as follows:

"The object of this society shall be the advancement of the educational interests of Colorado; the promotion of all the sciences, arts and learned professions; and to form a University which shall have power to establish a system of instruction in any or all of the departments of learning; to create fellowships; to appoint a Board of Examiners, and, upon examination or satisfactory recommendation, to confer marks of distinction and all degrees, honorary or otherwise, usual to a University, upon all such candidates as shall be found worthy thereof.

"The members of this society shall be the Secretary, for the time being, of the Colorado Annual Conference of the Methodist Episcopal Church, and the secretaries, while in office, of such annual conferences as shall hereafter be organized within the territory now occupied by the said Colorado Annual Conference; the Presiding Elders, for the time being, of the aforesaid annual conference or conferences; the President, for the time being, of the Colorado Seminary; the members of the Board of Trustees, for the time being, of the Colorado Seminary."

The articles also provided for a Board of Trustees, consisting of seven members, all of whom should be members of the society and should be elected annually thereafter, but named those who should constitute the first Board. These were John Evans, O. L. Fisher, Jesse Durbin, John W. Bailey, John A. Clough, Earl Cranston, and J. H. Merritt. These Trustees immediately elected Rev. David H. Moore, then of Cincinnati, to be Chancellor of the new University and also President of the Colorado Seminary. When he came to Denver the new Academy building, at Arapahoe and Fourteenth streets, was nearly completed, but no funds were at hand for providing it with furniture and other necessary equipment. From his personal means, Dr. Moore defrayed the expense of supplying these needs, as well as that of some of the finishing touches which the building still lacked, and thus enabled the Trustees to open the school, under its new auspices, in the autumn of that year. The cost of the structure and its equipment was about \$80,000.

The departments of learning established at that time by the two cor-

porations were as indicated in the following: College of Liberal Arts, School of Medicine, School of Law, School of Theology, School of Dentistry, School of Music and Fine Arts, and Preparatory School.

The building at Fourteenth and Arapahoe streets was made to suffice the needs of the institution until 1887, when the Haish Mammal School building, the gift of Jacob Haish, of De Kalb, Illinois, was erected, at a cost of \$40,000, on the southeasterly corner of Fourteenth and Arapahoe streets, opposite the Academy building. This structure afforded accommodations for some of the University's departments, as well as for the Haish School.

In the year before, the Trustees of the institution had determined to go beyond the limits of Denver at that time and obtain a site upon which the University could be located more appropriately, and that would afford abundant room for its expansion. These requirements were met by persons interested in real estate in what was known then as "South Denver," and who gave the Trustees a large tract of land in that locality for their purposes. The site was naked prairie, and well "out of town;" but now it is a part of the beautiful suburban district known as "University Park."

The construction of buildings upon the new site was begun in 1890, in which year University Hall and Wycliffe Hall—now used as a home for young men, were erected. These were followed, in 1892, by the Observatory and by Hiff Hall. The Observatory consists of two buildings, which, together with their fine and complete equipment, were gifts by the late H. B. Chamberlain, of Denver. In the larger of the two there is one of the noted telescopes of the world—a twenty-inch refractor, made by Alvan G. Clark. Funds for constructing Hiff Hall—the home of the Hiff School of Theology—were provided by the late William S. Hiff, of Denver.

The conditions that were entailed by the financial troubles of 1893 delayed further improvements upon the University's site for more than a decade. But in recent years several additions have been made to the group of buildings; and conspicuous among these are the Library and the Gymnasium.

Dr. Moore, the University's first Chancellor, served in that capacity for nine years, and practically without compensation. His fidelity and winning personality made him a much-beloved man in Colorado. He was succeeded by Dr. William Fraser McDowell, who filled the office until the close of the year 1899, when he resigned in consequence of his election to the post of Secretary of the Board of Education of the Methodist Episcopal Church. Dr. McDowell was followed by Dr. Henry Augustus Buchtel, the present Chancellor, who, in the meantime (1907-1909), also served ably as Governor of the State of Colorado.

The Colorado Seminary, from which, in 1880, the University of Denver was developed, is entitled to the distinction of having been the pioneer school of higher learning in Colorado. The two corporations, working side by side and in harmony, constitute the basic organization of the present institution—"The University of Denver and Colorado Seminary." Its material affairs are managed, and all of its property is held, by the Seminary corporation, for the reason that the latter's charter is more liberal in terms than any other for educational purposes that ever has been granted in Colorado. The degrees are conferred by the University corporation, in which also is vested the general control and direction of the various departments of learning. Many States of the Union, and several foreign countries, usually are represented among the University's students.

Colorado College, at Colorado Springs, is another prosperous and thorough institution of higher learning that was founded, and has been raised to its present eminent position through voluntary efforts and generous financial aid, by citizens, foremost among whom were dwellers in the City of Colorado Springs.

In 1873, the corporation that had laid out and established that city made known its willingness to donate a tract of its land to serve as a site for a college. In the next year, at Colorado Springs, an organization was formed and incorporated for the purpose of acquiring the proffered land and seating thereon a college upon a broad foundation. Title to the land was obtained immediately by the organization; and at that time its Trustees, in a public announcement of their objects, made the following statement:

"It is the purpose of the Trustees to build a College in which liberal studies may be pursued under positive Christian influences. . . . The College is under no ecclesiastical or political control. Members of different churches are on its Board of Trustees. . . . The character which is most desired for this College is that of thorough scholarship and fervent piety, each assisting the other, and neither ever offered as a compensation for the defects of the other."

Several years elapsed before much effect could be given to the purposes of the Trustees; and it was not until 1880 that they became able to erect a building upon the land that had been donated to the College by the founders of Colorado Springs. This edifice, built for the Cutler Academy (which now is the Preparatory School), was for many years known as "Palmer Hall"—so named in honor of General William J. Palmer, of Colorado Springs, who was and steadfastly continued to be a generous friend of the institution. However, a small teaching-force had been organized and was at work in the meantime in quarters in which the College was a tenant.

During the first year of its existence the College had no President. But in the lack of such an officer, the Rev. Jonathan Edwards, the school's first professor, served also as its chief executive officer. In the next year (1875) the Rev. James G. Dougherty became the first President of the College. He was succeeded in 1876 by the Rev. E. P. Tenney, who was continued in the Presidency until 1885. After Mr. Tenney's retirement the office remained vacant for three years, when, in 1888, William Frederick Slocum, D.D., LL.D., was elected to that office, in which he has been retained ever since.

Under the very energetic and able administration of its affairs by President Slocum the capacity and effectiveness of the College soon were expanded greatly. Immediately after his inauguration the faculty was enlarged, as well as strengthened otherwise; the courses of study were reorganized and extended; and the Cutler Academy was converted into a Preparatory School, for training students for entrance into the college, or into similar institutions elsewhere. During the first two years of his administration the College received, exclusively from citizens of Colorado, gifts of money that aggregated \$100,000, to constitute the basis of a permanent fund; and since that time this fund has been increased to \$1,000,000 by like gifts from friends of the College both within and without the State.

The site of the College, embracing about fifty acres of land, is in the most favored residential district of the City of Colorado Springs, and commands a near and inspiring view of the Rocky Mountains, with historic Pike's Peak in the central part of the noble picture and towering above the sky-line of the range. All of the buildings are of a high order of architecture and of enduring construction. The President's residence, which was acquired at the time of Dr. Slocum's coming, stands near the northern border of the site. Conspicuous among the other structures is the new "Palmer Hall" (or Science Hall), an edifice of three stories and of almost 100 by 300 feet in ground dimensions, erected and equipped, in 1903, at a cost of \$330,000, which was defrayed mainly by General William J. Palmer. The Library Building, constructed in 1894, and which cost \$50,000, was a gift from Mr. N. P. Coburn, of Newton, Massachusetts. The Perkins Fine Arts Hall, built in 1900, at a cost of \$30,000, was another gift, by the late Willard P.

Perkins, of Colorado Springs. The Astronomical Observatory, which contains among its instruments an excellent equatorial telescope, was a contribution from Mr. Henry R. Wolcott, of Denver, in 1894. The Gymnasium was constructed and furnished in 1891 by the students of the College. Hagerman Hall, a spacious building, used as a home for male students, was erected in 1899, and is managed by the Young Men's Christian Association. Montgomery Hall, a comfortable home for young women, was built, furnished, and given to the College, in 1891, by the Woman's Educational Society. Ticknor Hall, a beautiful building, and another home for young women, erected in 1898, at a cost of about \$24,000, was a gift from Miss Elizabeth Cheney, of Wellesley, Massachusetts. Bemis Hall, constructed in 1908, at an outlay of about \$30,000, and which is a center of social life at the College, was a gift from Mr. and Mrs. J. M. Bemis and General Palmer, of Colorado Springs. The first Palmer Hall—the first structure upon the site—still holds its place in the College's galaxy of buildings. This array also includes a machine shop, a heating plant and other minor establishments.

It may be said truly that Colorado College, as it stands at the present time, largely is a monument to the genius, ability and forcefulness of Dr. Slocum, the guardian and promoter of its fortunes since the year 1888.

Still another Colorado institution—the State Historical and Natural History Society—educational in its objects, operations and influences, came into existence during the period which we are reviewing here. Its foundation was, and still is, an act by the State's Second General Assembly entitled "An Act for the promotion and establishment of a State Historical and Natural History Society," and which was approved by Governor Frederick Pitkin on February 13, 1879. Furthermore, the act appropriated the sum of five hundred dollars to "assist the said society to further the ends of its organization." In anticipation of this action of the General Assembly, a meeting of public spirited men had been held in the office of Joseph C. Shattuck, who was then the State Superintendent of Public Instruction, on February 10th, of that year, to consider methods of procedure. This assemblage was organized by electing Dr. Frederick J. Bancroft, a distinguished physician, of Denver, and Aaron Gove, who was then, and for many years after, a Superintendent of Denver's Public Schools, respectively President and Secretary. This provisional organization, which was designed only to assist in forming a society such as that defined by the Act of February 13th, was continued until the midsummer of 1879, when, on July 11th, the present organization—The State Historical and Natural History Society of Colorado—was incorporated by Scott J. Anthony, S. T. Armstrong, N. A. Baker, Dr. Frederick J. Bancroft, William F. Bennecke, Dr. R. G. Buckingham, William N. Byers, Edwin J. Carver, John Evans, J. F. Frueauff, Aaron Gove, Paul H. Hanus, William Holly, H. A. Lemen, J. Harrison Mills, William E. Pabor, Frederick Z. Salomon, Joseph C. Shattuck, Richard Sopris, Frederick J. Stanton, Dr. Arnold Stedman, Dr. H. K. Steele, Edward A. Stinson, William D. Todd, W. B. Vickers, R. E. Whitsitt, Roger W. Woodbury, and B. F. Zalinger.

The articles of incorporation specified that the Society's Board of Directors should consist of nine members, and that Dr. Frederick J. J. Bancroft, William N. Byers, John Evans, Aaron Gove, William E. Pabor, Richard Sopris, Dr. H. K. Steele, William D. Todd, and Roger W. Woodbury should comprise the Board for the first, and until their successors duly were chosen and qualified. On July 31, 1879, the Directors met and completed their organization by electing Dr. Bancroft to be President; Richard Sopris, Vice President; W. B. Vickers, Recording and Corresponding Secretary; William D. Todd, Treasurer; and Dr. H. K. Steele, Aaron Gove and William E. Pabor, Curators.

As in the case of almost every other institution of the same kind in our country, the Society was hampered during the years of its youth by

lack of funds sufficient for its work, as well as suitable quarters for its home; and it was not until the summer of 1895, that the State was enabled to provide an abiding place for the organization and its collections. However, the Society, immediately after its formation, entered actively upon its work, and during the next several years accumulated a very creditable number of books, manuscripts, pictures, and other material of historical interest, as well as making a beginning in its natural history division. When, in 1886, the Mercantile Library was established and opened in the building of the Denver Chamber of Commerce, at Fourteenth and Lawrence Streets, the Chamber gave the Society the use of the upper floor of its edifice, and which quarters the Society and its increasing collection occupied until the summer of 1895. The interior finishing of the State Capitol having been far advanced, several rooms on its lower floor now were assigned to the Society, and which have constituted its home since that time.

The accumulations that have been made by this organization are of great variety and value. Its library now contains thousands of volumes, including a remarkable collection of books and pamphlets that deal with the history of our section of the West. Elsewhere in its archives are newspaper files that cover completely the entire period from 1858 to the present time; many original records; and a multitude of documents, pictures and other sources of historical information—all of priceless historical worth. The assemblage of ethnological material from the section of country that once was occupied by the people to whom has been assigned the name "Cliff Dwellers" probably is the largest and most varied in existence; the botanical collections consist of nearly 20,000 specimens of Colorado flora; and in the zoological division many living creatures are represented, including almost every bird known in our State. Moreover, there are hundreds of miscellaneous objects to which historical associations and interest cling. Under the provisions of the act of February 13, 1879, "to encourage the formation and establishment" of the Society, and also under the latter's constitution, the ownership of all of the organization's collections is vested absolutely in the State of Colorado.

Dr. Baneroff, the first President of the Society, was continued in that office until January, 1897, retiring in consequence of impaired health. His successor was Mr. William N. Byers, founder and for many years the editor and principal owner of the *Rocky Mountain News*, of Denver, and who served ably unto the end of his life, which came on March 25, 1903. Mr. Byers was succeeded by Mr. Edward B. Morgan, of Denver, and who has been continuously the organization's chief executive since that time.

The Seventeenth General Assembly of the State provided by law for procuring a site and for the erection thereon of a building in which the Society shall have larger and better quarters: and at the time of this writing the work of constructing the edifice was in progress.

CHAPTER XXXIII.

DETERMINATION OF THE LOCATION OF THE SEAT OF COLORADO'S STATE GOVERNMENT.—RESULTS OF AN ELECTION ON THE QUESTION.—ACTION ON THE SUBJECT IN THE LATER YEARS OF THE TERRITORIAL PERIOD.—OUTLINES OF PROCEEDINGS THAT RESULTED IN THE CONSTRUCTION OF THE PRESENT CAPITOL.—CIRCUMSTANCES OF THE DONATION OF THE BUILDING'S SITE BY A CITIZEN OF DENVER.—CONDITIONS IN COLORADO IN THE DECADE OF THE '80s.—THE STATE'S PROSPERITY DURING THOSE YEARS.—GREAT RATIO OF INCREASE OF POPULATION IN THOSE YEARS.—GROWTH OF URBAN COMMUNITIES.—PREDOMINATING INFLUENCES OF SILVER MINING.—ITS OVERSHADOWING OF OTHER ACTIVITIES IN THE STATE.—ONCOMING OF THE FINANCIAL CYCLONE OF 1893.—ITS DEVASTATING CONSEQUENCES IN COLORADO.—DESTRUCTION OF VALUES AND PARALYSIS OF INDUSTRY.—ITS IMMEDIATE EFFECTS UPON FINANCIAL INSTITUTIONS.—HIGRA OF UNEMPLOYED AND MONEYLESS MEN.—FORMATION OF A "DIVISION" OF CONEY'S "ARMY".—PERMANENT CLOSING OF MANY SILVER MINES.—CONTINUATION OF THE PARALYSIS THROUGH THE YEAR 1894.—THE UNFORTUNATE ADMINISTRATION OF DAVIS H. WAITE AS GOVERNOR.—HIS PANACEAS FOR SOME OF THE CONDITIONS OF THE PANIC TIME.—SPECIAL SESSION OF THE GENERAL ASSEMBLY OF THE STATE.—GOVERNOR WAITE'S "WAR WITH THE DENVER CITY HALL."—THE EXTENSION OF GENERAL SUFFRAGE TO WOMEN IN COLORADO.—OUTLINES OF A MOVEMENT THEREFOR IN TERRITORIAL TIMES.—PROVISIONS IN THE STATE'S CONSTITUTION FOR SUBMITTING THE QUESTION TO A VOTE OF THE ELECTORS.—DEFEAT OF THE PROPOSITION IN OCTOBER, 1878.—TRIUMPH OF THE REFORM IN NOVEMBER, 1893.—PRACTICAL EFFECTS OF THE INNOVATION.

In the beginning of the decade of the '80s the matter of determining the seat of their State Government became an affair of general interest to the people of Colorado. The State's Constitution had denied to the General Assembly the power to act finally upon this subject, but required that the law-making body should, at its first session after the year 1880, provide by law for submitting the question to a vote by the electors, the preference of a majority of whom to be decisive; and that in the meantime Denver should be the temporary seat of government. The Constitution further provided that the Assembly should make no appropriation or expenditure for land or for buildings for capitol purposes until after the seat of government had been determined by the people; and also, that after having been so located, the Capital should not be removed without an affirmative vote of two-thirds of the electors.

Pursuant to these requirements, the Third General Assembly of the State, by an act that was approved by Governor Frederick W. Pitkin on February 1, 1881, duly provided "for submitting the question of the permanent seat of government to the qualified electors of the State," at the general election to be held on November 8th, of that year. Several municipalities became candidates for the distinction that was to be conferred, but the vote was overwhelmingly in favor of Denver, as shown by the figures of the returns, which were as follows: for Denver, 30,248; for Pueblo, 6,047; for Colorado Springs, 4,790; for Cañon City, 2,788; for Salida, 695; "scattering," 929. The vote for Denver was almost two-thirds of all the ballots that were cast on the question.

More than a decade earlier, the Territorial authorities had made an attempt to fix the Territory's seat of government at Denver by acquiring a site for a capitol and making some preliminary provisions for erecting thereon a suitable building. By an act of the Seventh Legislative Assembly, approved on December 9, 1867, and which removed the Territorial Capital from Golden to Denver, it was provided that the Governor of the Territory should appoint three commissioners, who should obtain in the city of Denver, within sixty days after their appointment, and as a gift to the Territory, a tract of land containing not less than ten acres, and which should become the site of a Territorial Capitol.

The commissioners having been appointed, Henry C. Brown, a pioneer of Denver and the owner of a large body of land in what was the eastern border of the city at that time, by a deed dated January 11, 1868, conveyed to the Territory, upon the terms and for the purposes specified in the act, two entire city blocks—those bounded by the present Colfax and Fourteenth avenues and Lincoln and Grant streets—containing rather more than ten acres. In donating this fine tract—on which the present State Capitol stands—Brown was influenced partly by a desire to see the Territorial Capital fixed at Denver, and partly by other personal reasons. The latter were due to his belief that the erection of the proposed building upon the site he donated greatly would enhance the value of the large remainder of his land-holdings that adjoined it. He also believed, and expected, that within a reasonable time his donation would be put to the uses contemplated by the law that had invited the gift.

But in that period the Territory's income and other resources were insufficient to provide funds with which to begin the erection of a building upon the site. Further to assist the Territorial Government in what they regarded as a laudable purpose, other citizens of Denver gave to the Territory several tracts of land and a number of city lots, the proceeds of the sale of which were to be lodged in a fund to aid the construction of a building upon Brown's donation. However, nothing of further effect resulted at that time from these combined efforts, and the undertaking was left hanging in the air, where it remained for five or six years.

One reason for this delay was that the location of the Capital in Denver was not generally regarded as permanent; and it was hoped and expected by citizens of other communities that eventually it would be established elsewhere in the State. Each of the cities of Pueblo, Central City and Boulder was ambitious to become the enduring seat of government. Moreover, none of the three commissioners appointed under the act of December, 1867, was a citizen of Denver: Allen A. Bradford was of Pueblo, Joseph M. Marshal lived in Boulder, and William W. Roworth was a citizen of Gilpin County.

The Tenth Legislative Assembly, by an act that was approved on January 13, 1874, authorized and directed the Governor of the Territory to appoint a new board of commissioners who were to take up the capitol project in earnest, perfect titles if need be, receive additional gifts, sell the lots and lands already donated in behalf of a building fund, and with these proceeds, together with such appropriations as the Legislative Assembly might make and such funds as Arapahoe County and the City of Denver might give, erect a Territorial Capitol upon the land that Brown had donated, and have the structure finished by January 1, 1876. The men appointed to this duty were M. Benedict, of Denver; J. H. Blume, of Trinidad; and J. H. Pinkerton, of Evans.

The several departments of the Territorial Government then were lodged in scattered and rented refuges, and not one branch had a suitable place in which to transact its business. A capitol was needed greatly; but, as affairs turned out, it was fortunate that circumstances prevented the erection of even a temporary Capitol. Otherwise, in all probability, we should not have had the magnificent State edifice that now stands upon Capitol Hill, in Denver.

However, the new commissioners made a faithful effort to accomplish the purposes of the law under which they were appointed. They tried to obtain more donations of real estate for the building fund; they circulated subscription-papers for donations of cash; they appealed to Arapahoe County and the City of Denver for funds sufficient for grading and fencing the site given by Brown and for planting trees thereon. But in all of these efforts little or nothing actually was accomplished, and the capitol enterprise again came to a standstill.

The movement that resulted in converting the Territory of Colorado into a State of the Federal Union was inaugurated soon thereafter. In confident anticipation of the success of that movement, and upon the urgent advice of a former Governor, John Evans, the commissioners decided to discontinue all endeavors to erect the contemplated building, so that they might leave the proposition to the prospective new State untrammelled by any further proceedings of theirs.

Under its broad and independent powers, the State Government was much better prepared to deal with the undertaking of erecting a suitable Capitol; and among its initial resources for that purpose were fifty entire sections of land, which the act of Congress to enable the people of Colorado Territory to form a State Government granted to aid the State to erect public buildings at its capital.

By an act approved on February 18, 1881, the Third General Assembly of the State authorized the levy of a continuous tax of one-half of a mill upon all taxable property in the State to constitute a permanent building fund, and which law still is in force. With this, and the act to submit to the voters the question of deciding the location of the seat of the State Government, that Assembly rested from labor on the whole proposition. By an act of the next Assembly, approved on February 11, 1883, a Capitol "Board of Direction and Supervision," consisting of seven members, was created, and of which the Governor of the State was made, *ex officio*, a member of and chairman; the other members, who were named in the act, were Alfred Butters, George W. Kasler, E. S. Nettleton, John L. Routt, Dennis Sullivan, and W. W. Webster. That Assembly also appropriated \$150,000, and authorized, subject to the approval of the voters at the next State election, the issue of State bonds to the sum of \$300,000, with which to begin the work of constructing a capitol-building upon the site which had been donated by Henry C. Brown, and which now had passed to the State.

At that time it was the intention to erect nothing more than one wing of the contemplated edifice, which was "to be so constructed as to form a part of what may finally be a symmetrical Capitol building for the State of Colorado." However, this plan was so widely disapproved by the people, and so many other obstacles were encountered, that the Board of Direction and Supervision, on June 9th, of that year, unanimously adopted a resolution declaring that it was the opinion of the Board "that a State House can not be properly built under the provisions of existing law." Therefore, that body decided to defer the building-programme until it could be reconsidered by the next General Assembly.

During that interval, the Board purchased, for the sum of \$100,000, the city block bounded by Colfax and Fourteenth avenues and Broadway and Lincoln street, and which increased the Capitol site to its present dimensions. The Board also obtained a number of competitive plans for a complete structure, and after some delay adopted those which had been submitted by E. E. Myers, of Detroit, Michigan. It was from these, after several changes had been made in them, that the present edifice was constructed.

The next General Assembly accepted the conclusions of the Board, as expressed in the resolution of June 9, 1883, and by an act that was approved on April 1, 1885, provided for the construction of a complete and fire-proof Capitol to be built of stone, at a cost not to exceed \$1,000,000, and specified that the structure should be ready for use by January 1,

1890. In April, 1886, the Board contracted with W. D. Richardson, of Illinois, for the erection of the building. Work was begun on July 6th, of that year, and was continued slowly until the summer of 1887, when dissatisfaction and various troublesome difficulties with the contractor resulted in the cancellation of the contract with him. A new agreement, made with Denver men, was entered into in March, 1888, and under which the Capitol was completed.

It had been concluded that the edifice should be built of white sandstone, to be obtained from Gunnison County. But when this decision became known generally a popular protest was made against using such stone, and with a demand that granite, from the same county, should be substituted. The Board willingly responded to this manifestation of public sentiment and wisely agreed that granite it should be, even though the cost of the building would be doubled. This proposed change was sanctioned by the next General Assembly, by an act approved on April 1, 1889; and by the same act it abolished the Board of Direction and Supervision and created in its stead a "Board of Capitol Managers," consisting of five members. These were the Governor—a member *ex officio* and chairman, and Benjamin F. Crowell, Charles J. Hughes, Jr., Otto Mears and John L. Routt. That Assembly also made financial provisions for the prosecution of the work, and required that the structure should be completed by January 1, 1893.

The way having been opened, at last, for the erection of a monumental Capitol, construction work proceeded vigorously. The corner stone was laid by the M. W. Grand Lodge, F. & A. M., of Colorado, on July 4, 1890; but completion was not reached by the appointed time. However, the quarters assigned to the State's executive officers were made ready and occupied in the autumn of 1894.

Ere the Capitol was finished, various minor changes were made, and which added largely to its cost, that ultimately turned out to be about \$3,000,000. No taint of corruption ever was associated with its construction, and the State received full value for every dollar expended on it.

The decade of the '80s was a period of remarkable activity in Colorado, and in those years the percentage of increase in the State's population was greater than in any enumeration that has been made in intervening times. From 194,327 in 1880, the number of inhabitants was advanced to 413,249, which was a ratio of growth considerably more than 100 per cent. The energies of the people mainly were applied to mining for the precious metals—especially for silver, to the construction of railways, to the upbuilding of towns and cities, and to speculating in urban real estate with feverish zeal. While manufacturing, and agriculture under irrigation, largely were developed, the attention that was given them was far from what their probabilities merited.

These activities were accompanied by a high ratio of expansion of urban population, as indicated in the following mentioned examples: Denver increased from 35,629 to 106,713—three fold; Pueblo, from 3,217 to 24,588—eight fold; Colorado Springs, 4,226 to 11,140; Trinidad, from 2,226 to 5,523; Colorado City, from 347 to 1,788; Cañon City, from 1,501 to 2,825; Boulder, from 3,069 to 3,330; Greeley, from 1,297 to 2,395; Fort Collins (the outgrowth of a United States military post erected in 1865), from 1,356 to 2,011; Longmont, from 733 to 1,543. Of the population, increase in that period, of communities that did not exist when the census of 1880 was made, those named in the following are some of the examples: La Junta, population 1,439; Salida, 2,585; Durango, 2,726; Grand Junction, 2,030; Montrose, 1,330; Glenwood Springs, 920; Aspen, 5,108. To these may be added Gunnison (1,105), and Ouray (2,534), which were in the embryo stage in 1880.

The country districts, proper, received a good share of the increase of population in those years; and the growth of about one-half of the municipalities named above mainly was due to the development of general agriculture in the sections in which they are located.

But in productions from the State's natural resources, the mining of silver resulted in money-values that conspicuously exceeded those of every other avenue of activity, was far more spectacular, overshadowed every other form of profitable undertaking, and caused gold-mining to retire into the background. The market-value of silver mined in the State during that decade averaged annually about \$23,500,000; whereas the market-value of gold that was produced during the same years averaged annually about \$3,750,000. But a large part of this gold was a by-product of silver-mining. The greatest yield of silver in any of these years was \$26,559,000, in 1889; while the greatest yield of gold was \$4,874,000 in 1887. The predominance of the silver-industry in results and popularity in the later '80s practically placed Colorado upon a silver basis, as considered from the economic point of view.

The conditions that are outlined in the foregoing continued, without much apparent change, through the next three years, with a production of silver that averaged about the same as the yield in 1889. During the winter of 1892-93 there was some uneasiness in the inner recesses of financial circles in Colorado, and that had been born of the "silver question," which was the subject of less secluded discussion in the eastern States; but this form of local apprehension did not pass beyond the precincts in which it originated. In the spring of 1893 there was some obvious evidence of a slackening of gait in building operations in the larger cities of the State; but the general aspect of affairs in Colorado continued to imply an abounding prosperity, until toward the end of June, when, with stunning suddenness, the Panic of 1893 violently took possession of our State.

The event that precipitated the financial crisis of that year, which affected more or less severely every commercial nation, occurred not in our country but upon the opposite side of the earth. It was the closing the mints of India, in June, 1893, that was the immediate cause of a series of economic disasters the effects of which became, within six months thereafter, worldwide in their extent and evil influences. Whether the panic was a natural consequence of accumulated disorders and unsound methods and practices in the domain of finance, or a result that might have been avoided through the agencies of wisely directed statesmanship, are questions with which we have naught to do in this narrative.

The coinage laws of the United States in that period had stimulated silver-production to the highest pitch in Colorado, and silver-mining had become, as I have said above, the principal part of the foundation upon which the activities and prosperity of our State were established, as all other natural resources of the State generally were subordinated in development to that great and widespread industry.

The action in India was followed almost instantly by public clamor in the eastern section of the United States for the immediate repeal of the Federal coinage-law of July 14, 1890 (the so-called "Sherman Law"), under which the United States had been buying, and coining into "standard" dollars, 4,500,000 ounces of silver in each month, and which provided an outlet at high value for practically the total production of silver in the entirety of the country, and of which much the larger part was taken from the mines of Colorado. This demand for the repeal of the Sherman law foreshadowed a ruinous depreciation in the market value of silver; and which came to pass early in the following autumn, when the Federal Congress, in special session, repealed the act.

While the effects of the great financial storm of 1893 were extremely serious throughout the United States, the conditions here made Colorado peculiarly susceptible to the more violent manifestations of its fury. The banks in the State were about the first of the business establishments directly to encounter the effect of public alarm, and drafts upon their resources by depositors quietly had grown to large proportions before

the end of June. But it was not until toward the middle of July that the strain to which such institutions were subjected reached the breaking point. Within a few days thereafter many banks closed their doors. The brunt of these misfortunes fell upon banks in Denver; and on July 17th, 18th and 19th twelve of them succumbed—which number was divided equally between State and National banks; and later in that season some savings institutions collapsed. Several of these crippled banks, as well as various others elsewhere in the State, succeeded in resuming business before the close of that year; but there were many that were not revived.

There had been, as we have seen, comparatively little warning of the tempest's approach; and in this the situation may in some degree be likened to that of the city of Galveston just prior to its drowning, and that of San Francisco on the eve of its shaking and burning. The suspension of banks and the impending downfall of Colorado's principal and very profitable industry produced conditions in the State that may be imagined; but it would serve no useful purpose to enter here upon a lengthened review of them. The surviving banks were able to provide to some extent for the immediate needs of many of their old and regular customers, but could not undertake to meet the wants of thousands whose relations to them were different. Men begged and beseeched for means with which to save themselves, offering as security real estate that had been worth several times the sums desired. Money was above all other things in value; and even United States bonds could not be exchanged for it, though offered upon a basis far below their nominal worth. A large host of Colorado business men quickly were impoverished and bankrupted. In vain had they sought to make great sacrifices to enable them to save from the wreckage something for themselves. But in that time of apprehension and fear, every one was in dread of what the next day might bring forth.

The blighting conditions were felt in every avenue of human endeavor and activity throughout the State. A great number of wage-earners suddenly found themselves without employment and without prospects of regaining it soon; a majority of the silver mines ceased operations, and many others were preparing to do so; the goods of the merchant were in small demand, and the products of the manufacturer were in the same plight. Men who had regarded their more or less encumbered real estate in the cities as representing fortunes suffered extremely, and an army of speculators in such property stood aghast in the presence of the ruin that had befallen their holdings; and many of them, who had believed that they possessed a competence, were bankrupted before they realized their condition. Economy was forced upon households that had forgotten its meaning; by others it was made a refinement of domestic ingenuity; and by still others it was reduced to the grade of deprivation. By the advent of August, the predicament of unemployed and moneyless men became a serious public matter; and as the summer wore into the autumn the number who were so conditioned was augmented greatly. A large body of them soon assembled in Denver, where a camp, provided with tents, was established, and in which shelter and food temporarily were given to its occupants.

Many thousands of people left Colorado at that time and went into the eastern States, where the situation was not so severe. This movement started in the latter part of August, and was continued until late in the autumn. Among those who departed was a host of men who were unable to pay for their transportation, and therefore the prairie railways carried many trainloads of them without compensation. In some instances, freight trains were seized and used by crowds of moneyless men who were determined at once to ride away from the scenes of their discomfiture. However, not all who were without resources left Colorado in that hieira; and at the end of the following winter

more than 1,500, who had come from various parts of the State, were present in Denver. In March, some of these formed a "division" of Coxey's "Army of Commonwealers," that moved across the country from west to east in the spring of 1894; but the others declined to take part in Coxey's campaign. The Denver Chamber of Commerce provided funds and made arrangements with the several prairie railways for transporting the assemblage to the Missouri River, and which was done promptly.

The more sanguine element in Colorado's steadfast population had anticipated that in the year 1894 there would come a revival of confidence, and to a fair extent a renewal of activity in the stagnated channels of general business. But these expectations proved almost vain. The spring of that year was accompanied by but little improvement in economic conditions; but on the other hand it brought bankruptcy to many business men who, by much effort, had managed to keep their heads above the tide of destruction that had all but submerged the productive interests of the State, and which now slowly was receding. The failures of individuals and the collapse of mercantile and manufacturing enterprises were very numerous in that year. The business channels, already clogged by the wreckage of the previous year, presented aspects of discouraging desolation after they had received the additional debris that was accumulated in 1894. Besides these misfortunes, the number of idle silver-mines was increased largely, and their workmen sent adrift.

It may be remarked here, in passing, that a majority of such mines that were closed in the panic-time never have been reopened, and that the capital invested in them became an absolute loss. Many investments in real estate, especially in the cities, that were initial payments, met the same fate; as a vast number of city lots and other small tracts of land were sold for deferred payments or for taxes. The panic had, for the time being, and for all purposes of immediate realization, deprived them of whatever value which they had possessed formerly.

Although the consequences of the events of 1893 and 1894 were well calculated greatly to impair faith in the future of the State, if not to cause general despair, at no time during the ordeal did the spirit of hopefulness and determination of the stable elements of Colorado's population sink toward the depths of despond; nor was there in these elements a common inclination to doubt the State's recovery from the paralyzing misfortune that had befallen it. The confidence in the future that was manifested then was justified abundantly within a few years thereafter.

It would seem that the people of Colorado had enough to bear in 1893 and 1894 without having their burdens and perplexities increased by erratic political acts and mischievous influences which emanated mainly from the chief executive of the State. Those unhappy years covered the period of Governor Davis H. Waite's administration—of dismal memory. After the financial collapse in the summer of 1893, the Governor was anxious for an opportunity to put into legal operation some of the many theories and remedies which he had conceived to be absolute cures for all the ills to which the body politic is heir, and was equally eager to call immediately a special session of the General Assembly of the State to give the force of law to more or less of his remedial conceptions. But, by dint of strenuous effort on the part of others, he was dissuaded from doing so at that time.

As that year wore on near unto its end, good reasons for believing that the harsh conditions might be alleviated in some respects by prudent legislation had developed. Therefore, although there still existed among the people and press of the State a strong opposition to calling an extra gathering of the law-makers, it was deemed advisable by many citizens, including some of those who were not in sympathy with the



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Governor's radical views and public utterances, to have an early special session of the Assembly. So the members of that body were summoned by the Governor to meet at noon of January 10, 1894, to consider and enact measures for relieving the existing situation.

The Ninth General Assembly was not characterized by a grade of ability that ranked above the average of that of other Assemblies; and most of its critics insisted that it was much below. In his message delivered at the opening of the special session, the Governor recommended favorable action upon subjects sufficient in number to keep an industrious Assembly hard at work for six months, and which for the most part were wholly impracticable. At the beginning of the session, the leaders of the dominant division asserted that the business which was to be done would be finished on the fourth day; but, instead of a fulfillment of this promise, the session was not adjourned until the second day of March.

The Governor was not alone as a proposer of cures for the existing financial demoralization and for the hard consequences that it had entailed. Each of many of the members of the Assembly had a panacea for almost every economic ill, and each claimed that his would be more effective than any of those proposed by all the others. This developed a situation in which none of the more obvious nostrums could be put into the form of law.

However, the session was not entirely fruitless of good and helpful legislation. The more important of the several of such enactments were as follows: amendments to existing laws extending the time for redemption from trust-foreclosures; a measure reducing the legal rate of interest, and the penalties on delinquent taxes; and another which exempted from levy and attachment for debt certain wages and earnings of debtors, and also modified the attachment laws.

One of the Governor's absurd schemes was to have the State of Colorado surreptitiously to engage in the coinage of silver dollars. According to his plan, the State was to purchase the output of Colorado silver-mines, ship it into Mexico, and there have it coined into "Colorado Dollars," which were to be sent to Denver and put into circulation. The proposition to have the dollars manufactured in Mexico was intended to evade conflict with the coinage-provisions of the United States Constitution and the Federal laws enacted thereunder. Of course no serious consideration was given to this folly by the people of Colorado; and therefore the proposed "Fandango Dollars"—as they were termed immediately—failed to make their appearance.

No other chief executive of the State had so stormy a time during his administration as that which attended Governor Waite's; but there can be no reasonable doubt that many of his troubles were due to the influence of bad advisers.

The most spectacular of the Governor's performances was his conflict with the Fire and Police Board of the government of the city of Denver, in March, 1894, and which otherwise was termed his "War with the City Hall." In that period, the Governor of the State was empowered to appoint, and remove for cause, the members of that and other boards which were parts of the executive division of that city's government. The three members that constituted the Fire and Police Board had been appointed by Waite soon after his inauguration, with the understanding that gambling—to which, it is to be said, greatly to his credit, the Governor was extremely hostile—should be stamped out in Denver, where it had gained a strong foothold. The Board having been charged with failure to comply with that understanding, the Governor had, in January, called for the resignation of two of its members, but who refused to respond to the demand.

As the special session of the General Assembly was requiring much the larger part of the Governor's attention at that time, he deferred

further action against the recalcitrant members of the Board until after the law-makers had adjourned, although there was a plenty of snarling and bickering in the meanwhile. Upon the departure of the Assembly, the Governor resolved to remove, by force if necessary, not only the offending members of the Fire and Police Board, but also the men who formed the city's Board of Public Works, who were now supporting the members of the other in their rebellious attitude. Having learned the intentions of the Governor, the two Boards assembled in the City Hall a large and armed body of men, consisting of policemen, deputy sheriffs, and others who knew how to use firearms, to resist any attempt to eject the executives who were under the ban, whose offices then were declared by Waite to be vacant.

The "defendants" took their case into the District Court on March 8th, and obtained an order, good for ten days, restraining those whom the Governor had appointed to succeed them from using force to gain possession of the offices.

On March 13th, the Governor, having sought and failed to have the order of the Court modified, declared his intention to call out at once the State Militia to execute his purposes; and to this threat the "enemy" responded by increasing the armed force at the City Hall. In the afternoon of the next day, the Governor ordered out the Denver companies of the First Regiment of Infantry Militia, and also the Chaffee Light Artillery (of Denver) with two Gatling guns and two field pieces. These troops invested the City Hall on Thursday morning, and later on that day the Governor issued an order for all other organizations of the State Militia to be in readiness to respond to a call to Denver on the next day. The Governor had asserted, notwithstanding the order of the District Court, that with his troops he would force an entrance into the City Hall and physically eject the men who were holding the offices which he had pronounced to be vacant. However, although the militia surrounded the building and stood with loaded arms, the Governor refrained from ordering an attempt to take possession of the Hall. Instead of doing that, he appealed to the Commandant of Fort Logan to send into the city a force of United States troops "to aid in preserving the peace." The Commandant, supposing that a great emergency had arisen, promptly despatched three hundred Regulars, who were stationed in reserve in the Union Passenger Depot, with orders to do nothing but preserve the peace. The situation strongly had suggested riot, bloodshed, and destruction; but nothing of the kind ensued. A large committee, appointed by the Denver Chamber of Commerce, and which consisted of prominent and influential citizens of Denver, now took the case in hand and induced both parties to the ugly affair to submit the whole matter to the State Supreme Court for decision.

The troops returned to their quarters, and the truce was honored by both sides. On March 25th, the Supreme Court decided that the Governor had authority, under the city charter act, to remove members of the Boards and to appoint their successors, but had not authority to employ the military forces of the State in executing his order of removal; and that the proper remedy for a refusal to vacate would be found in the Courts. The substance of the decision is contained in the following lines, which are in the language of the Court:

"His duty and responsibility cease upon the making of the order of appointment, and any attempt on his part to personally enforce such order or install his appointee is beyond any express or implied duty or power imposed or conferred by constitution or statute."

The Governor did not yield gracefully. On March 28th, despite the decision of the Supreme Court, he threatened to declare martial law in the city of Denver because of what he called an "insurrection" at the City Hall. But on the next day, he obtained from the District Court an order restraining the members of the Fire and Police Board from acting in their official capacities. On March 30th, he directed his Adjutant

General at once to recruit the two infantry regiments of the State militia to full war-strength, in preparation for concentrating the State's entire military force at Denver's City Hall for an active militant campaign.

However, all proceedings in the affair were terminated peacefully by an order from the Supreme Court soon thereafter which put the Governor in control of the Boards which had refused to submit to his authority. So was ended the "war" with Denver's City Hall, and which at one juncture bid fair to entail very grave consequences. But the episode was disgraceful to all who were involved in it, and could have been prevented by a well-balanced chief executive of the State.

While Governor Waite was in the midst of that "war," he was also worried by a grave disturbance in the (then) new mining-camp of Cripple Creek, in which general and systematic developments of its mines had but recently been put under way. The miners had inaugurated a strike to obtain recognition of their Union by the operators of the mines, and also for an eight-hour day. As the parties to the controversy had been unable to reach an agreement, and the conditions in the camp had taken on a very threatening aspect, the Governor, who was a partisan of the strikers, sent some of the State's troops into the camp on March 17th. This action was followed by what seemed to be a form of truce between the two interests, but which did not long endure.

Late in May, of the same year, the Governor again intervened, with State Militia, in a still more serious conflict in the same camp, and which was due to the same causes; but it was ended by the operators of the mines yielding to the demands of the strikers. In the meantime, there had been many acts of violence, in one of which, Frank Roubideaux, a Deputy Sheriff, was killed.

An estimate of Governor Waite's personal character formed only from knowledge of his record as a chief executive of our State would be misleading. He possessed many kindly traits and generous impulses; and in his private life his personal honesty in all of his relations with his fellow-citizens never was questioned—which good quality is common to nearly all men whose convictions and acts more or less are due to fanaticism. Nevertheless, the general effects of his conduct as Governor of Colorado were very harmful to the State. He was unfitted by temperament for the high position he occupied, especially so for dealing with such circumstances and conditions as those which prevailed in Colorado during his term; and his erratic energy, together with his disposition to jump to conclusions, often caused him to lose his head. His "Blood-to-the-Bridles" speech, made in a great public meeting in Denver, in July, 1893, gave him a wider unenviable notoriety abroad than did any other act or utterance of his.

The most important political event in Colorado since the latter became a State of the Federal Union—that of extending full suffrage to women—came to pass during Governor Waite's administration. The active movement to accomplish that political reform in Colorado began in 1869, and figured conspicuously in the political affairs of the Territory in that year, in which the members of a new Legislative Assembly were elected.

Mrs. Edward M. McCook, wife of the Governor of the Territory at that time, was an enthusiast in favor of the proposed innovation, and became the inspiring and guiding personality in the crusade in its behalf. Under her leadership, and with the ardent support of hundreds of her sex, the "Colorado Suffrage Association," a strong organization of women, was formed, and conducted a campaign of great vigor; and she also was chiefly instrumental in persuading Elizabeth Cady Stanton and Susan B. Anthony—famous eastern pioneers in the cause of "women's rights"—to come to Colorado and assist the efforts of their western sisters to obtain political freedom.

The proposition did not command the approval of a majority of the

newspapers of Colorado, although it was presented as a nonpartisan measure. Some of the journals almost ignored it; others treated it from the standpoint of the humorist; and most of those who were inclined to favor it expressed themselves without manifesting anything like effusive zeal.

At the ensuing election, the choice of legislators to constitute the Eighth Legislative Assembly resulted in a majority unfavorable to general suffrage for women. That Assembly convened and organized in Denver on January 3, 1870; and on the next day Governor McCook delivered to it a comprehensive message. Among the various recommendations contained in that document was the following:

“FEMALE SUFFRAGE.”

“Before dismissing the subject of franchise, I desire to call your attention to one question connected with it, which you may deem of sufficient importance to demand some consideration at your hands, before the close of the session. Our higher civilization has recognized woman’s equality with man in all other respects save one—suffrage. It has been said that no great reform was ever made without passing through three stages—ridicule, argument, and adoption. It rests with you to say whether Colorado will accept this reform in its first stage, as our sister Territory of Wyoming has done, or in the last; whether she will be a leader in the movement or a follower; for the logic of a progressive civilization leads to the inevitable result of a universal suffrage.”

The Governor’s recommendation as to “Female Suffrage” promptly received a degree of attention by both divisions of the Assembly. In the Council (which corresponded to the Senate of a State), on the next day—

“Mr. Sherwood offered the following:

“*Resolved*, That the portion of the Governor’s message referring to female suffrage be referred to a special committee, consisting of Messrs. Steck, Cook and Nesmith.

“Mr. Steck moved to amend by substituting the names of Messrs. Butler and Hughes, in place of Messrs. Steck and Nesmith.

“Mr. Butler moved to lay the amendment on the table.

“Motion carried.

“The original resolution was then called for.

“Mr. Steck called for the ayes and nays.

“Ayes—Messrs. Butler, Hahn, Loveland, Sherwood and Velasquez—5 votes.

“Nays—Messrs. Cook, Hughes, Nesmith, Stearns, Sanchez, Steck, Webster and Mr. President [Mr. Hinsdale.]—8 votes.

“So the resolution was lost.”

* * * * *

“Mr. Hughes moved that the portion of the Governor’s message relating to female suffrage be referred to the Committee on Elections.

“Mr. Loveland moved to amend the same, that it be referred to a special committee of five, to be appointed by the President.

“Amendment carried with the original motion.

“President appointed Messrs. Steck, Hahn, Butler, Sherwood and Nesmith such committee.”

There was no further action on the subject by the Council until the 19th of that month, when—

“Mr. Webster moved that Mr. Steck, chairman of the special committee on that part of the Governor’s message relating to female suffrage, be allowed to report.

"Mr. Hahn moved to amend by adding, after the word report, 'On Saturday morning next, at ten o'clock, and that the ladies of Colorado be invited, through the press generally, to be present.'

"Amendment lost.

"The original motion was then put by the President, and carried.

"Mr. Steck, chairman of the special committee, then made the following report :

"To the Honorable, the President and Council:

"The minority of your special committee, to whom so much of the Governor's Message as relates to the subject of the extension of the elective franchise to the females of the Territory was committed, respectfully report :

"That they regret that other important legislative duties, requiring much consideration and time, have precluded that full examination of the question which the importance of the subject would seem to require.

"It is not known to your committee that under any form of government, however liberal—even in a pure democracy—were the women of the country ever permitted directly to have a voice in the enactment of the laws. The proposition, if made not many years ago, would have been received by the gravest of people with ridicule and derision. But in this age of progress in the science of government, the proposal to invest women with the right to vote is now generally treated with as much serious respect and consideration as any of the other disabilities under which they still unfortunately are found. We propose, therefore, to consider the subject seriously, and to review some of the reasons which present themselves to us on behalf of the proposition.

"In the earlier history of our nation, the free colored male population of nearly all the thirteen original States (except the State of South Carolina) were permitted to vote under the same conditions and qualifications as white persons. We are not aware that their influence as voters ever brought upon the States any serious evils, or contributed in any degree to unwise or unwholesome legislation. Nor are we aware that after the right to vote had been taken away (for whatsoever reasons it is not necessary to state) any serious damage accrued to the country, except to the unfortunate class thus deprived of the privilege of voters. Since the close of the late civil war, by the action of the Congress of the United States, the male colored people of the several States lately in insurrection to the national authority were, and are now, clothed with the privilege of elective franchise.

"Whatsoever of opposition this new policy encountered, and yet meets with amongst a people whose policy it seems ever was to degrade them, it is believed that familiarity with the new order of things, and the interests of communities themselves, will speedily disarm the last vestiges of prejudice against them as voters, and we shall know of their disfranchisement only as matter of history.

"We are not aware that the State of Massachusetts, in which that class of our population have always exercised the same right to vote that was accorded to other citizens of the State, that any unwise legislation or injurious results have been had by reason of clothing her colored male population with the right to vote at all elections: but, on the contrary, it may be safely affirmed that, notwithstanding the rigor of her climate, and the inhospitality of her soil, her national interests, prosperity, and credit are fully equal to the proudest of the States, and far surpasses the most of them.

"It is proposed by the movers of the present project to introduce into the political system a class of our population hitherto denied every political privilege, but whom, it has always been confessed, exercised indirectly a moral power in the government of the country which woman

everywhere has, and ever will, exercise as the companion and consort of man. What, therefore, will be likely to be her influence in the new relation of elector? appears to be the question which it has been made our duty to discuss.

"It is objected that the women of the Territory, in no considerable numbers, have as yet demanded this privilege; but the desire to clothe themselves with the rights of electors has been limited almost exclusively to a very small class of women, known derisively as '*strong-minded women, spiritualists, and agitators.*'"

"It must, however, be recollected that by the conventionalities of society, the proper sphere of woman has been heretofore assumed to be limited to attentions to domestic affairs of home and the fireside, whilst the more rugged and sterner sex went forth into the world to battle amongst their fellows for fortune and fame. Few women properly constituted, therefore, care to challenge upon themselves that notoriety by publicly demanding what, if demanded, cannot, without much apparent injustice, be reasonably denied. Most of them, it has been assumed, would much prefer to suffer under the disabilities consecrated by usage and time than openly clamor for concessions from the lords of creation, who hitherto have managed the political affairs of the country.

"We, therefore, assume that the modesty of woman, which shrinks from the gaze of the public, and which is claimed as a comely virtue by the sterner sex, satisfactorily accounts for the want of that public demand for the removal of her legal disabilities, which she might reasonably long since have hoped her father, husband, brothers and sons would have blotted from the Statute Book.

"It has not been denied that under every form of government the influence of woman has been sensibly, and oftentimes powerfully exercised when directed to political questions and purposes. This influence has been, however, confined to a few women of position and character, whilst the great mass of the sex, however strong their interest in political affairs, have contented themselves with the exercise of their moral influence within the narrow limits of their social sphere. Why, therefore, is it that, long since, the right to a voice equally with man has not been accorded to woman in the exercise of political power? The answer is, that it has never yet been done except in our sister territory of Wyoming, and then so recently that the precedent affords us no ground for example; and, also, because it is assumed that the proper sphere of woman is in the social circle exclusively and in the sacred precincts of home.

"That the right to vote equally with man has never been conceded to woman, and, therefore, ought not to be accorded them, appears to us to rest the question wholly on the venerable sanction of time. That because they have ever been denied the rights of electors, and therefore ought always to be denied them, it is submitted is not a sequence. It is simply a begging of the question at best; it is an assumption that whatever has been, ought always to be. This doctrine is not consistent with the progressive spirit of the times, and therefore cannot stand, unless supported by other considerations which moved our sex, primarily, to exclude them from a voice in the affairs of government. It is doubtless true that good, conscientious men, when exercising the right of electors—in some sense, in representing their own interests—so far intend to represent the interests of their mothers, sisters, wives, and daughters; but unfortunately the amount of good and conscience in the exercise of the privilege of electors amongst the great mass of men, is much less than we believe is to be found among an equal number of the softer sex. Who is there that believes that the lovely wife of a habitually intemperate husband would vote with him upon the question of extirpating the temptation set before her husband, which is gradually, but surely, dragging him and her down to degradation and want? Who is there that can believe that a good, pious mother, whose wayward son

is plunging into paths of vice and profligacy, would vote otherwise than to suppress and drive away from our midst the haunts of vice in which he is being led rapidly to disgrace and shame?

"Yet we see husbands, fathers, brothers, and sons stand idly by, and look upon the throng that crowds the roads of vice, without taking any steps to check the wayward multitude. Put into the hands of women the almighty power of the ballot and every public den of iniquity, where temptations beset the weak, and the young are corrupted and fall, will vanish like mist before the blaze of a summer sun.

"Notwithstanding the boasted chivalry of our ancestry in the protection of woman, the law of the descent and the distribution of property limited the wife to an inconsiderable share of the husband's estate, acquired, though it might have been, by a life time of industry and self-denial of the wife. In modern times we have not improved the law of descent of property. In this Territory, however, we have made ample provision for the widow out of the estate of the husband. We have reasons to congratulate ourselves upon the liberality in this direction, to be found in our statutes. It is not denied that a great fundamental change in any department of our government should not be made lightly, or without the fullest deliberation and discussion. Why, in our form of government, women have been denied the right to vote, is not to us, very clear. That they have equally with men the capacity to comprehend all questions usually submitted for decision to the people, and that their purpose to vote correctly, especially upon all questions involving any moral phases, cannot be gainsaid. But it may be assumed that wives will vote with their husbands, mothers with their sons, and sisters with their brothers. Whilst, as a rule, this may be the case upon some questions of political economy, which but few of the intelligent and educated male electors fully understand, yet it is not, or will not, be found to be true on all questions of morals. Why, therefore, it has been everywhere so persistently denied them, must be upon the principle that the proper sphere of woman is in the social circle exclusively. To that doctrine we cannot fully subscribe. If we could be made to believe that conferring upon woman the right to vote, would in any way or degree compromise her in the social circle, or detract from the charm with which we behold her in that relation, we would hesitate long to extend the privilege to her, although demanded by other considerations which would make it almost imperative upon us. It is claimed that politics is a dirty pool, and that whoever dabbles in it must necessarily be fouled. To this we have to answer, that whilst we do not believe it to be wholly true, yet even were it the fact, there is the more reason that the purer, higher, and ennobling influence of woman should be invoked to purify the waters which men have so long defiled. It will not, of course, be expected that in the turmoil of political agitation, woman will always actively engage. Nor is it believed that in the squabble for place, sometimes so indecently made by seekers of office, with means often questionable, and sometimes highly disreputable, woman will ever desire actively to participate, but on the days of elections those who appear to have thus acquired positions as candidates, must pass the ordeal of excellence which women, we think, will set up for representatives to rule over us. Attached to one or the other of the great political parties, as they probably will be, which now divides the country, and possibly ever will divide it, it is not too much to expect that, through the influence of women directly acting at elections as voters, each of the great parties doubtless will require of its representatives a higher and purer standard of morality than has, unfortunately oftentimes been required in candidates for office by party managers. That this result will be attained we confidently believe, and that it may be, by the influence of women, at all times required, is a consummation devoutly to be wished."

"We do not see how it can be made to appear that the proper sphere of woman is exclusively the social circle and the precincts of the fireside. We think it a matter of much regret that the women of our country have been heretofore so little educated in the business concerns of life. Scarcely any of them have made themselves at all familiar with the laws which govern the transfer of property, or regulate its distribution to themselves or their children, in case of the demise of fathers and husbands. Women left without the superintending care of fathers or husbands necessarily, as a rule, from the want of acquaintance with the business affairs of life, are compelled to trust the management of their business to those whose habits of thought, inquiry, and familiarity with such things fit them to take care of their interests. Oftentimes they fall into the hands of sharpers through this neglect in their education.

"If, therefore, the discussion of political affairs and the condition of the laws shall direct the female mind of the country to their material interests, and in some degree, it is to be hoped, divert their minds from the study of ever changing and expensive fashion (as we ardently trust it may) by giving them a new field of inquiry, the sooner they shall be invited into this new field, the better it will be for all of us.

"We do not expect that women will cease to adorn the social circle, where she has ever, and will ever pre-eminently shine, nor fail to sanctify by her gracious presence the holy shrine of the fireside home, merely because she shall emerge from the disability of the governed to the higher condition of the governing.

"Nor indeed can we anticipate that, by reason of being made an elector, she will in any degree whatever lose any of those charms of manner, or special qualities of grace, which have been and will ever continue to be the admiration of the sterner and stronger sex.

"We are not insensible that the shafts of ridicule, and the coarser jests of the vulgar, will for a time assail the advocates of her enfranchisement, but clothed with that power, when the novelty of the innovation shall have passed away, the corrupt and vulgar, who have thought woman only a toy, will find her fully equal and even superior in what has been hitherto considered the manly qualities of character.

"That enfranchisement will degrade woman to the lower moral level of the mass of men, we see no reason whatever to believe.

"But upon the contrary we are assured that the political atmosphere will be speedily purified and stay purified, by the familiar presence and the lofty moral christian influence and excellence of woman, uniting with men in discussing questions heretofore specially claimed as the sole property of man.

"Your committee, in the examination of this question, are not without hope that in the adoption of this new policy, the avenue of profitable employment to females will be widely extended in those lines of industry which are suitable to her sex, and which are now almost exclusively filled by males. It is true that there is no law which interdicts the employment of females in any lawful industrious pursuits.

"The want of their employment most probably rests upon prejudice amongst women as well as men. It appears to be fashionable amongst women to be thought to live idly, fashionable amongst men to live by their wits, as far as possible, and failing in that, to live by such light, industrious labor as may be as well done by females. We have great hope that, by making women electors, causing them to be more familiar with the laws, the manner of transacting business, putting them fully on an equality with men before the law, stimulating them to inquiring into the every day affairs of life, they will gradually but surely remove the prejudice now existing against their employment as clerks, bookkeepers, saleswomen, and in all the lighter but necessary labor now exclusively performed by males.

"Its effect will be, if such results shall be attained, largely to contribute to remove from communities that class of unfortunates who live their brief existence upon the wages of sin. For it is undeniable that the want of proper employment, by means of which they may be enabled to live respectably, aided somewhat by a desire to imitate the more fortunate in the fawdry changes of fashion, is the real cause of filling the haunts of infamy everywhere, and soon, happily perhaps for them, early, though disreputable graves.

"Give to woman employment, put into her hand the ballot as a means by and through which she may demand and enforce her claims to such employment, for which she is as well fitted as her brother, and you remove the incentive which causes the fall.

"But it is claimed that enfranchising woman will disorganize families, breed discord, and disrupt the happy relations that now subsist between man and wife. If such consequences should unfortunately follow the introduction of this reform into our political system, it would be the subject of the gravest mistake in our legislation. We are not at all satisfied that such results would ensue.

"Husbands and wives now differ in political questions, as widely as they could differ if they were both voters.

"We are not informed of any cases where this difference of opinion has bred discord in families, and we believe that in cases where both husbands and wives would vote, and vote on opposite sides, there would be no more grave difficulties than now exist, or would exist in any case where they unfortunately fail to agree.

"It is not at all improbable that the husband, brother and son would be moved to scrutinize more closely the moral qualifications of men who would be presented for public places, through the agency of the mother, wife and sister, than is now done by male electors.

"The attachment to party candidates for office, under any and all circumstances and surroundings, of which we see a great deal too much, would gradually relax its grasp upon the party man under the free and friendly discussion of the household.

"The integrity of the opinion of women, the desire to be right and to do justice, whatever the results, we believe, as a rule, to be stronger in women than in men. Familiarize her with political questions, with all the details which men habitually examine as political partisans, and woman in that respect becomes fully equal to the man. Why should man and wife quarrel any more when both vote, than when the husband votes alone? What is there in the relation of mother, sister, or daughter, that is incompatible with the relation of elector? Is there anything of the lovely and beautiful in woman in her social sphere, that would be destroyed by the right to vote? What man has ever made the political views of a sweetheart the cause for declining a conjugal alliance, when beauty, grace, and loveliness had wooed her to his heart? And what is there after the consummation of their union, in an honest difference of views on political measures of men, that *could* excite discord between 'two hearts that beat as one'? We repudiate the imputation as grossly unjust.

"It is further objected that the duties of maternity, and care of children, unfit women for the active labor of life. If this be true it proves too much. If women are excluded from voting because they are mothers, they certainly cannot be excluded before they become mothers; and after that time, when their children shall have passed beyond the necessity of maternal care.

"The proposition also fails to exclude those who never become mothers at all. Besides, we fail to see in this statement any reason why mothers should be excluded from voting, to remove every disability under which they suffer, or be excluded from a voice in the enactment of such laws as shall present any legislation against or respecting them, which they may deem to be unjust..

"Some women are so situated as not to have the care either of children or the household. They of course do not come within the reason of the rule of exclusion from the active labors of life, nor from the privilege of the ballot.

"That there is any peculiarity in the female mind or heart so different from that of the other sex, as to unfit them for such active duties of life as they may choose to pursue, we cannot for the life of us see.

"Instances are not wanting of great superiority in women, in almost every department of active industrial pursuits; and like instances of great intellectual superiority in women are found along the line of history, from the earliest times to the present period.

"In monarchical governments, even the highest regal authority is conferred by the law of descent upon women; and instances have been found amongst them of the highest type of rulers.

"It is believed that all that is wanting to produce amongst women the number of distinguished characters equal with men, is opportunity. We cannot and do not anticipate that women will distinguish themselves in the barbarous art of war, which has made so many names immortal, nor in the rougher or coarser labors of life, where the brawny, muscular strength of man is only equal to their accomplishment.

"What we insist upon is *opportunity* for women to choose for themselves what they are best fitted to perform. And to that end we insist that women shall be clothed with the ballot, to enforce their claims to enter upon any of the labors of life for which they may deem themselves qualified equally well with men.

"When the incompatibility of any labor or pursuit is a real and not an imaginary incompatibility, it may safely be left wholly to the care of itself. We see no cause to shut out women from any of the civil offices necessary to be filled, however high and important they may be.

"We think that in places where integrity and high moral purpose is requisite, we may with great safety commit such trusts to women. The object in view in the creation of offices is the good of the state, not that of the incumbents. Although compensation is allowed for official services, it is not given as an avenue to money making, but as a means to enable the public service to be properly executed. We reiterate that women can execute the duties of all official positions, when properly educated, as well as men.

"We are aware that the ignorant and vicious, the idle and vile, those whose lives have been devoted to the degradation of women, and their own degradation also, with the conservative, some of the intelligent but unfortunately fossilized gentlemen of our time, will be found in solid, compact array in opposition to woman's enfranchisement. With respectful deference to the opinions of that respectable class, who may differ with us, we may be permitted to say that the moral, intelligent, progressive, just and conscientious portion of the community, who see in woman more than a subordinate, who see in her their equal, nay, their superior, in many things, are hopefully anxious for her redemption from the thrall-dom into which ages of uniform legislation have unjustly condemned her.

"The opponents of her enfranchisement would have us believe that this concession of justice to our wives and daughters will be the apple of discord, cast among our household gods to distract and disrupt our happy homes. We cannot believe it. We concede that the proposition involves an experiment. It can never be other than an experiment until it shall be fairly tried. If it fail, as we confidently believe it will not, we have abundant confidence in the intelligence and good sense of women to yield up the privilege of electors, as cheerfully and gracefully as we hope this Legislative Assembly will confer it upon them.

"Your committee, therefore, recommend the repeal of so much of section one of chapter twenty-eight of the Revised Statutes as inhibits

females from voting, and the enactment of such laws as will permit them to stand equal in all respects with men before the law.

“AMOS STECK, *Chairman.*

“J. W. NESMITH,”

“On motion of Mr. Stearns, the report was received and ordered printed.

* * * * *

“On motion of Mr. Sherwood, the Enrolling Clerk was instructed to make a copy of Mr. Steck’s report from the special committee on Female Suffrage, for the use of the Secretary.”

In the meantime some action on the Governor’s recommendation had been taken in the House of Representatives. On January 7th, that part of the Governor’s message relating to ‘Female Suffrage’ was referred to a special committee consisting of Representatives Mann, Taylor and Bevan, who do not appear ever to have made any report thereon. Three days later, Representative DeFrance introduced a bill so “to amend the election law” as to grant full suffrage to women; and on January 13th Representative Lea introduced another for the same purpose. These measures were referred to a special committee consisting of Representatives DeFrance, Shepperd, Mann, Lea and Bierce; and on January 19th this committee submitted to the House the following report:

“*Mr. Speaker:* Your special committee, to whom was referred H. B. No. 5, beg leave to submit the following report:

“Your committee are of the opinion, upon an examination of the bill and its purposes, that the end sought can be more readily attained by a separation of the subjects, the matter therein contained being heterogeneous. * * * * *

This brings your committee to the consideration of the third and vital question contained in the original bill—the extension to women of the right of suffrage. To attain this purpose, your committee have drafted a separate bill which we report back to the House as a substitute for H. B. No. 25, which also was referred to this, your committee. But to the question of Woman Suffrage, however much men may ridicule the question, however much they may seek in that way to avoid its decision and ignore its importance in the future political economy of the country, the fact can no longer be disguised that the question of the right of the women of America to a voice in the political affairs of the government under which we live, is the one great vital question of the day. Negro Suffrage has gone into the past, and no longer supplies food for political discussion. In its wake and as one of its necessary corollaries, follows the question of Female Suffrage.

“The decade which has just closed has wrought one immense revolution, if it failed in another. Some eight hundred thousand names have been added to the voting list of the country in the persons of liberated slaves and free negroes. However bitterly the adoption of this measure may have been opposed, and however nauseous the draught may now be to many of us, the question of Freedman Suffrage may be denominated a dead issue. The declaration that the ballot should follow the bayonet was too plausible for successful opposition, and we now witness a whole country bow to the solution.

“As a remedy for this supposed evil, as some say, but on much higher grounds, as is said by others, your mothers, wives and sisters now step into the arena and demand of you the right to participate equally with you in the power and privilege of political affairs. They demand it as their right. They do not beg it as a concession. They say, and in much truth, that one of the main cornerstones in your temple of freedom, cemented and fixed there by the noblest blood of your most noble ancestry, is the declaration that representation should go with taxation. They pay their taxes—you levy them, direct their amount,

and the purpose for which they shall be expended. Your wife owns the house in which you live, and its contents, and the horse and carriage which you in common use for your pleasures. Your colored servant who lights your fires and cares for those horses, but who does not own an article of property beyond his scanty wardrobe, votes at all your elections and directs the taxes to be paid by your wife on this property, and how the money thus paid shall be expended, and that, too, without intelligence enough to know the difference between a democracy and despotism, or to give you the least possible idea of what is meant by the word Constitution.

"Is this right? Is this justice? But to this it is replied that there can be no general rule without its exceptions, and that no municipal regulation can be made that will not work injustice to some; that women generally do not wish to vote; that their delicacy revolts at the idea of contact with rough manhood in their struggles to reach the window; and last, but not least, that their gentler sensibilities will be blunted in these contests, and they degraded, rather than society elevated by their enfranchisement. This logic, we think, will not bear the touchstone of criticism. Are women degraded by their constant contact with the sterner sex in our churches, our schools, our vehicles of public travel, or our ball rooms, if you please?

"Certainly not, but on the contrary their presence invariably tends to the suppression of follies, indecencies and even brutalities, which males, alas! are but too prone to indulge in. Can any Colorado man dare for one moment to doubt the blissful influence of women? Look, for instance, at Denver ten years since, and compare it with Denver of today. Then the citizens were all males, and riot and bloodshed, drunkenness and debauchery, were the characteristics of society. Now, after the influx of its thousands of refined and educated women, no New England village is more noted for the elegance of its society, and the peace and quietness of its places of public resort and thoroughfares. Did not woman with her moral influence work this change? Can any one in his senses doubt? Woman was not degraded by her contact with rough, uncouth manhood here, but by her benign influences, elevated the standard of morals, and brought these same men to her own high level. Put into her hands the ballot and learn the fact early which must eventually come to your knowledge, that whatever is touched by woman is dignified and ennobled by the contact. The disgraceful scenes which too frequently occur at your places of voting will cease, and soon the hustings will be as peaceful and quiet as your other places of public resort. Let women vote and three of the cancers upon the body politic will speedily disappear. We mean the drinking saloon, the gambling house and the brothel. The standard of *political* morals will be elevated. The successful politician will no longer be the bar room brawler or the worthless debauchee. Politics will attain a high level. Your laws will still be made and executed by men, but by men who will at least be too discreet, if not too honest, to offend the sensibilities of the fair constituents to whom they look for future success, by excesses which now too often characterize the lives of those high in office.

"But to the proposition that woman should be allowed a direct vote in the administration of our public affairs, it is replied by those who adopt the old-time condition of the sexes, without once stopping to think for themselves, that none should be allowed to control our Legislature and thereby levy war, except those who can shoulder the musket and fight in the ranks. If this be a true test, what will you do with the aged and infirm? Can a country only be saved by blood, by bayonets, by the thunders of artillery? Where in all the long lists of the illustrious of the last decade stands the name of any one, amongst those who contributed to the salvation of the country, so high as that of Salmon P. Chase? He never carried a musket; he never heard the roar of cannon, the thud of the minnie ball, or the scream of the shell. Yet if the ques-

tion was this day put to the American people, what single individual contributed the most toward the suppression of the rebellion, the reply would be almost, if not entirely, unanimous—Salmon P. Chase. Let once the proper influence of woman be felt in our Legislative halls and without stooping one inch from the high standard of honor and dignity which should characterize a nation, war would cease with all its scenes of bloodshed and sorrow. Must you retain control of the Legislature and Executive departments of the Government in order that you may cut each other's throat's? How much more would it become the acts of a great Christian nation, whose mission should be to cultivate the arts of peace, to admit into its organization such influences as might and would tend to make you more and more like that Divine Master whom you as a nation profess to follow and worship.

"The question of female suffrage is a question which must be solved by the American people, sooner or later, and that in the affirmative. It is now only a question of time, and to you who are the representatives of the pioneers in all else, is presented the question, will you also be the pioneers in this? Or will you be the followers of others? Will you occupy a high niche in that temple, which must ere long be erected to woman's worth and woman's virtues and intelligence, or will you be content to occupy a lower place? Solve this problem by extending this right, and look to the gratitude of the women of the Republic for your reward. It will speedily fill up the waste places of your valleys and mountains with a teeming population. It will give you character and notoriety abroad, and in all lands and for all time will be a living advertisement of the progress, the liberality and the intelligence of Colorado and her people.

"For these reasons your committee, with the exception of Mr. Mann, who dissents herefrom, would most respectfully report back to the House this substitute for H. B. No. 25, with the recommendation that it pass.

"A. H. DEFRANCE,
"Chairman."

Notwithstanding the affirmative arguments and appeals which were so elaborately set forth in the reports of the two committees that had had under consideration the question of "Female Suffrage," the Eighth Legislative Assembly refrained from enacting any measure to extend to women the right to vote. The adverse sentiment among the members of the Assembly was, proportionately, stronger in the Council than in the House. George A. Hinsdale, President of the Council, was one of the leaders of the opposition; and that body had so high an opinion of an "address against Female Suffrage," delivered by him at a public meeting, that it ordered his speech to be printed for the information of the people.

While this failure to obtain the desired and necessary legislation discouraged many of the advocates of the proposed reform, the cause was not abandoned. However, it was not again, during the Territorial period, urged with the vigor and enthusiasm that characterized the efforts that were made in its behalf in 1870.

When, in December, 1875, the framers of our State Constitution met and organized for the performance of their duties, the matter of suffrage for women immediately was urged for favorable consideration by them. One of the results of that movement was the convention's adoption of a measure that opened the way for women to vote at elections for directors of public schools and to participate officially in the administration of school affairs. This constitutional provision, which is the second clause of Section 1, of Article VII—Suffrage and Elections, reads as here:

"That no person shall be denied the right to vote at any school district election, nor to hold any school district office, on account of sex."

Practical effect was given to this provision by an act of the State's First General Assembly, approved on March 8, 1877, and which became operative on June 6th of that year. Since that time women have been elected frequently to take part in managing the affairs of public schools in Colorado.

While the framers of our Fundamental Law went no further in direct measures for extending the right to vote, they made provisions therefor which eventually resulted in conferring political equality upon women in Colorado. The Constitution, in Section 2, of Article VII—Suffrage and Elections, specified as follows:

"The General Assembly shall, at the first session thereof, and may at any subsequent session, enact laws to extend the right of suffrage to women of lawful age, and otherwise qualified according to the provisions of this article. No such enactment shall be of effect until submitted to the vote of the qualified electors at a general election, nor unless the same be approved by a majority of those voting thereon."

Pursuant to this mandate, the First General Assembly of the State enacted a measure providing for submitting the question of such suffrage to a vote of the electors, at the general election to be held on October 1, 1878. In the ensuing summer, Susan B. Anthony and Elizabeth Cady Stanton returned to the fray, and under their leadership and that of many prominent women of Colorado an active campaign in behalf of the proposed innovation was made in most of the communities in the State.

However, the proposition was rejected at that election by a vote of more than two to one, and at which there were 22,047 votes cast. Of these, 14,053 were against the proposal and 6,612 in its favor, while 1,382 electors ignored the question.

After this disastrous defeat the movement for women's suffrage practically rested for more than a decade. It was revived in 1892, and its influence resulted in the election of a majority of Assemblymen favorable to another submission of the question to the voters of the State. By an act of the Ninth Assembly, and which was approved on April 7, 1893, provisions were made for resubmitting the proposal at the general election to be held on November 7th of that year. Although the campaign in its favor was not so vigorous as that of 1878, the measure was approved by a fair, if not a large, majority. The total vote on the question was 65,249, of which 35,798 were affirmative and 29,451 negative, the net result being a favorable majority of 6,347. After the returns had been canvassed and the outcome determined officially, Governor Waite issued the following proclamation, which announced authoritatively that Colorado women now stood politically on an equality with men:

"EQUAL SUFFRAGE.

"PROCLAMATION OF THE GOVERNOR OF THE STATE OF COLORADO.

"Whereas, The Ninth General Assembly of the State of Colorado passed an act, approved April 7, 1893, entitled 'An act to submit to the qualified electors of the State the question of extending the right of suffrage to women of lawful age, and otherwise qualified, according to the provisions of Article VII, Section 2, of the Constitution of Colorado,' and

"Whereas, The said question, as provided in Section 2 of said act, was submitted to the qualified voters of the State of Colorado at the general election held on Tuesday, November 7, 1893, and

"Whereas, After canvass of the official returns of said election by the State Canvassing Board, it appeared that of the votes cast, 35,798 votes were cast for 'Equal Suffrage Approved,' and 29,451 votes were cast for 'Equal Suffrage Not Approved,' and that the majority for 'Equal Suffrage Approved' was 6,347 votes.

"Now, therefore, I, Davis H. Waite, Governor of Colorado, do hereby proclaim, as provided in Section 5 of said act, that every female person, a resident of Colorado, shall be entitled to vote at all elections in the same manner, in all respects as male persons, and subject to the same qualifications.

"GOD AND LIBERTY.

"Done at Denver, December 2, 1893.

[SEAL]

"NELSON O. McCLEES,

"Secretary of State."

"DAVIS H. WAITE,
"Governor of Colorado.

When the barriers thus had been removed, it was believed by a large portion of our people that the political field of activity would become attractive to many women. But it has not yet generally proved to be so. Those who have entered the arena of politics and attained positions in the State's executive and legislative departments constitute a number that is small, comparatively. Among the members of the Tenth General Assembly, elected in November, 1894, there were three women. These—the pioneer feminine legislators in Colorado—were Clara Cressingham and Frances S. Klock, of Denver (representatives of the Arapahoe County of that period), and Carrie S. Holly, of Pueblo (a representative of Pueblo County). There were three women in the Eleventh Assembly and a like number in the Twelfth. The Thirteenth had but one. Each of the succeeding assemblies has had several women in its membership.

Since the year 1893 the office of State Superintendent of Public Instruction has, by general consent, been conceded to women. Annette J. Peavy, elected in November, 1894, was the first feminine incumbent of the office, the term of which is two years, and unto the present time the position successively has been filled by women. In the administration of county affairs women have been taking some part, aside from serving as school directors, but thus far it has in the main been limited in elective office to that of County Superintendent of Public Schools.

It has been conceded, even by those who have not approved the extension of suffrage to women, that in all the public positions which have been held by women under that dispensation the duties thereof generally have been as intelligently and efficiently discharged as ever they had been by masculine incumbents; and yet it may fairly be said that no conspicuous political or economic reform has resulted directly from the active participation of women in politics. The "conservative" element in our State's population still maintains that the only conclusion that is warranted clearly by the consequences of this expansion of suffrage was expressed concisely in the words of a toast by a Denver jurist at a banquet in that city, shortly after the advent of the innovation, and which ran as follows: "The women: once our superiors, now our equals."

CHAPTER XXXIV

COLORADO IN THE WAR WITH SPAIN.—INTEREST EXCITED IN OUR STATE BY THE ONCOMING OF THE CONFLICT.—THE PRESIDENT'S CALL TO ARMS.—CAMP ADAMS.—FIRST REGIMENT OF COLORADO VOLUNTEER INFANTRY.—ITS ORGANIZATION.—NAMES AND RANK OF ITS OFFICERS.—DEPARTURE OF THE REGIMENT ON ITS WAY TO THE ORIENT.—DISTINGUISHED SERVICES RENDERED BY IT IN THE PHILIPPINES.—ITS GALLANT PART IN THE BATTLE OF MANILA, AND IN OPERATIONS AGAINST THE FILIPINO INSURGENTS.—RETURN OF THE REGIMENT FROM ITS FIELD OF DUTY.—RECEPTION AT DENVER.—TRANSFERENCE OF ITS COLORS TO THE STATE.—LIST OF ITS MEMBERS WHO DIED IN SERVICE.—THE REGIMENT'S LOW RATE OF MORTALITY FROM DISEASE.—COLORADO'S CAVALRY ORGANIZATIONS.—NAMES AND RANK OF THEIR OFFICERS.—THEIR ASSIGNMENT TO TORREY'S REGIMENT OF "ROUGH RIDERS," OFFICIALLY KNOWN AS THE SECOND REGIMENT OF UNITED STATES VOLUNTEER CAVALRY.—ITS MOVEMENT TO JACKSONVILLE, FLORIDA.—DEADLY ACCIDENT THAT BEFELL IT AT TUPELO, MISSISSIPPI.—ITS LACK OF OPPORTUNITY TO ENGAGE IN ACTIVE SERVICE.—ITS STAY AT JACKSONVILLE UNTIL MUSTERED OUT.—DEATHS AMONG ITS MEN AT THAT PLACE.—BATTERY A, OF COLORADO VOLUNTEER ARTILLERY.—ITS ORGANIZATION.—NAMES AND RANK OF ITS OFFICERS.—ITS BRIEF EXISTENCE, WITHOUT ACTIVE SERVICE.—EARLY CONCLUSION OF THE CONFLICT WITH SPAIN.—PHASES OF WAR BROUGHT BEFORE THE PEOPLE OF COLORADO.

In common with the citizens of every other part of the United States, the people of Colorado watched with keen and absorbing interest the international events in the winter of 1897-98 which foreshadowed a war between our country and Spain, because of the intolerable conditions which existed in Cuba at that time. As the situation became more acute, public interest, in our State, as in all of the others, became more intense; and on receipt of tidings of the frightful and treacherous tragedy in the harbor of Havana in the night of February 15, 1898, causing the destruction of the United States battleship *Maine*, and the death of 266 American sailors, the war-spirit instantly flamed here as it did elsewhere in every section of this land of ours.

The Nation waited patiently for the report of the commission appointed by President McKinley to investigate the unprecedented outrage that had occurred in the Havana harbor. But the temper of the American people was reflected in the ominous and unanimous action of Congress, on March 8th, appropriating for the national defense the sum of \$50,000,000 from the cash in the Federal Treasury—a financial transaction that would have staggered any other nation in the world. The report on the destruction of the *Maine* was sent to Congress by the President on March 28th. Its effect produced a nation-wide resolution that Spain must and immediately be driven out of the western hemisphere; and the determination that she should be was as strong in Colorado as in New York, or Georgia, or Oregon, or Massachusetts. The awe-inspiring spectacle of the most powerful and yet the most peaceful people in the world drawing the sword unselfishly in behalf of neighbors cruelly oppressed was one that marked an epoch in the history of the political divisions of the earth.

It is not within my present purposes here to enter upon a discussion of the causes of the then long-existing friction between the United States and Spain, nor of the particulars of the immediate events that precipitated the remarkable war of 1898. All that applies properly to the present purpose is to relate the main circumstances and results of Colorado's response to the Nation's call to arms.

War practically was declared by a joint resolution that was adopted by Congress on April 13th, which recognized the independence of Cuba, and directed the President to use, if necessary, the land and naval forces of the United States to compel Spain to cease her attempts to maintain her authority over the island; and the impending struggle was made inevitable by the ultimatum of the United States, on April 20th, giving Spain three days within which to comply with the demand expressed in the joint resolution. War formally was declared by Congress on April 25th.

Under authority given, and as directed, by an act of Congress, that was approved on April 22d, the President, at noon of the 23d—the expiration of the three days of time specified in the ultimatum—issued a proclamation calling for 125,000 volunteers to serve for two years, unless sooner discharged. The response was an amazing rush to arms by the men of the Nation. The quotas of the several States relatively were small, and there was almost fierce competition among gallant spirits to get into the ranks. The 125,000 were enlisted within three weeks, and an army of a million others was disappointed and dejected because its services could not be accepted. On May 25th the President called for 75,000 additional volunteers, compliance with which was only a physical matter of mustering in that number of applicants. With the authorized increase of the regular army that had been made in the meantime, the Nation, within two months from the first call, had under arms 278,500 soldiers, and which probably were the best fighting-men on the face of the earth.

At the time of the declaration of war, the Philippine Archipelago was a part of the world that was but little known by the great body of our country's population, and Manila was an oriental city that was only a little more familiar to our people. The latter's commercial fame rested chiefly upon its large exports of hemp from which a superior quality of heavy cordage is made; but beyond this its name was associated with nothing very definite by the great majority of the citizens of the United States. Even after war was declared but few thought of the Philippine Islands or of the city of Manila in connection with the conflict. It was supposed almost by everyone that whatever there would be of warfare would occur in the West India Archipelago. Yet it was to the former and far-off quarter of the globe that the Colorado military organization that participated in fighting service, departed from Denver, trained, armed and completely equipped, on the twenty-fourth day after the President had issued his first call for volunteers.

The events in Manila Bay and their consequences, precipitated by Admiral Dewey and his fleet, on May 1, 1898, had been as profound a surprise to the people of our country—though of a kind quite different—as they were to Spain and the rest of the world.

In our State, as in the others, there was but one sentiment—an enthusiastic desire for a vigorous prosecution of the war, not only against Spain, but also against any power that might have the temerity to attempt to interfere in her behalf. Party lines vanished, partisanship disappeared, in the presence of the patriotic spirit that ruled the thoughts of every man.

Colorado's apportionment under the President's calls for volunteers was one regiment of infantry, two troops of cavalry, and a battery of artillery; a total of about 1,600 men—a meager moiety in comparison with the military ardor and possibilities of the State. Prior to

1898, the State's military establishment had consisted of two half-strength regiments of infantry, three incomplete troops of cavalry, and the Chaffee Light Artillery; but, early in 1898, in anticipation of war with Spain, many recruits eagerly had enrolled themselves in these organizations in order that they might be in line for active service. Governor Adams promptly mobilized the entire force, and on April 29th, the sixth day after the President's call for volunteers, and in less than forty-eight hours after receipt of advices from Washington announcing Colorado's quota, the State's military organizations went into camp near Denver's City Park, and named the encampment "Camp Adams," in honor of the Governor. Within one week thereafter a full regiment of infantry, two troops of cavalry, and a battery of artillery—Colorado's full allotment—practically were ready for service.

The field and staff officers, appointed by Governor Adams for the First Regiment of Colorado Infantry, and mustered into the service of the United States on May 1st, were Irving Hale, of Denver, Colonel; Henry B. McCoy, of Pueblo, Lieutenant Colonel; Cassius M. Moses (former Adjutant General), of Pueblo, and Charles H. Anderson, of Denver, Majors; Dr. Clayton Parkhill, of Denver, Surgeon, with the rank of Major; Louis H. Kemble, of Denver, Surgeon, with the rank of Captain; Charles E. Locke, of Denver, Assistant Surgeon, with the rank of First Lieutenant; Alexander McD. Brooks, of Denver, Adjutant, with the rank of First Lieutenant; William B. Sawyer, of Denver, Adjutant, with the rank of First Lieutenant; and David L. Fleming, of Leadville, Chaplain, with the rank of Captain.

The twelve company-organizations were designed to be, so far as practicable, representative of different sections of the State. The National Guardsmen were in the main residents of the cities and towns, and the companies of the National Guard had been identified with town communities. In the organization of the new regiment it was the aim to have this identity continued; although in adding recruits to fill the Guard companies to the war standard the fresh men were assigned without much regard to their individual local identity. However, when the regimental organization had been completed, its several companies were in a general way representative of several cities and towns and their immediate neighborhoods; that is to say, Companies A and C were from Pueblo; Companies B, E, I and K were from Denver; Companies F and L from Leadville; Company G from Cripple Creek; Company H from Boulder; and Company M from Colorado Springs. The company officers were—

Company A—John S. Stewart, Captain; William F. Dortenbach, First Lieutenant; Samuel E. Thomas, Second Lieutenant.

Company B—Frank W. Carroll, Captain; Charles B. Lewis, First Lieutenant; Charles E. Hooper, Second Lieutenant.

Company C—Ewing E. Booth, Captain; William H. Sweeney, First Lieutenant; Willard P. Bidwell, Second Lieutenant.

Company D—John A. Taylor, Captain; George Borstadt, First Lieutenant; Albert J. Luther, Second Lieutenant.

Company E—Kyle Rucker, Captain; Clarence W. Lothrop, First Lieutenant; Rice W. Means, Second Lieutenant.

Company F—G. Ralph Cummings, Captain; Charles S. Haughwout, First Lieutenant; Willard G. Riggs, Second Lieutenant.

Company G—David P. Howard, Captain; Thomas C. Brown, First Lieutenant; Walter P. Burke, Second Lieutenant.

Company H—Charles B. Eastman, Captain; Charles H. Wilcox, First Lieutenant; Fred L. Perry, Second Lieutenant.

Company I—William R. Grove, Captain; Charles H. Hilton, Jr., First Lieutenant; Charles O. Zollars, Second Lieutenant.

Company K—William A. Cornell, Captain; William J. Vannice, First Lieutenant; Ralph B. Lister, Second Lieutenant.

Company L—David P. LaSalle, Captain; Cornelius F. O'Keefe, First Lieutenant; Franklin Ballou, Jr., Second Lieutenant.

Company M—Clyde C. Spicer, Captain; Charles H. Sleeper, First Lieutenant; James H. Gowdy, Second Lieutenant.

The First Colorado was a superb regiment; even above the high standard of American volunteer organizations. Men from every walk of western life were in its ranks, and a majority of them had been made familiar with military duties by their training in the National Guard. Every man had passed an unusually rigid physical examination, under which many others had failed to be accepted. A considerable number of the men of the two National Guard infantry regiments were rejected under that exacting examination, and hundreds of others also failed to meet its requirements. The result of this was that the regiment included none but picked men, as nearly perfect, physically, as men may be; and a further result of this was seen later in the organization's small loss by disease in a country and under conditions peculiarly favorable to large losses by such cause.

The regiment had hoped to be, as events quickly placed it, among the pioneers in foreign service; but the general expectation was that the service would be in Cuba. This appeared to be confirmed by early orders that included the regiment among those which were directed to move to Chickamauga, Tennessee. But within a few days thereafter the situation in the Philippines caused a change in the programme; and on May 13th the First Colorado was ordered to proceed to San Francisco, and thence by sea to Manila. On the 14th, the regiment left camp and marched into Denver in the pride of its strength, and was presented by the Sons of the Revolution with a fine national flag. On the 15th, a regimental flag, the gift of Mrs. William Cooke Daniels, was added to the stand of colors. It is hardly necessary to mention that these flags never were lowered.

In the morning of May 17th, the splendid regiment of 1,086 officers and men departed from Camp Adams, headed by its fine band and escorted by the troops of cavalry, proceeded into Denver to the Union Passenger Station, whence four railway trains carried it away on the journey to the Pacific Coast. That day in Denver long will be remembered. Sixteenth Street and the vicinity of the railway station were packed with people, and the regiment received a patriotic ovation the like of which never before had been witnessed in Colorado's capital city.

The regiment arrived at San Francisco on May 21st, without mishap, and went into camp at Camp Merritt, of which the section occupied by it became popularly known as "Camp Hale", in honor of its Colonel. The period of three weeks at Camp Merritt was utilized in thoroughly training the regiment in guard duty, drill, target practice, and in battle formations. Here, the first death in the regiment—that of Sergeant Neil Sullivan—occurred, on June 4th, about one week before preparations were begun for leaving the camp and embarking on the long sea-voyage to the farther side of the world.

Soon after the regiment had arrived at San Francisco, the War Department ordered that all volunteer regiments immediately should be recruited up to the new war-standard of 104 men to each company. Three officers and a small detail of men of the First Colorado were sent home to obtain about 200 recruits, which was done quickly. These men arrived at San Francisco on June 24th—more than a week after the regiment had sailed for Manila. About one-half of the recruits embarked on August 1st, and arrived at Manila on September 1st; but the remainder were not started until August 21st, and, owing to a prolonged stop at Honolulu, where unassigned Private Benoni W. Dawson was left fatally ill, did not reach Manila until the 23d of November. The addition of these recruits raised the strength of the regiment to about 1,300 men, including its Hospital Corps of twenty-five men, be-

sides the officers, and the band, which consisted of about twenty musicians.

The regiment had boarded the steamer *China* in the afternoon of June 14th, and the vessel moved that evening from her dock to an overnight anchorage. Three men, privates Daniels, Hegewer, and Loosa, were left behind in a hospital, and who died soon afterward. In the afternoon of the 15th, in company with three other transports, the *Colon*, *Senator* and *Zealandia*, the *China* put out to sea on her long voyage, the expedition being under the command of Brigadier General Francis V. Green. The fleet proceeded to Honolulu, where it put in on June 23d for a stay of three days; thence to Wake Island, where General Greene, Colonel Hale and other officers landed and raised the American flag, on July 4th; thence, by way of Guam (July 9th), to Manila Bay, in which it arrived on July 16th. The voyage was uneventful from a military standpoint, but was one of great novelty and interest to the Colorado boys. The death and burial at sea, of Walter W. Wise, of the Regimental Band, on July 5th, had been the only serious happening to the First Colorado during the voyage. The regiment was landed near Paranaque, on the 18th, and went into camp, with a tropical rain falling, in Camp Dewey. It was the first full regiment in that camp, and its first night on Luzon soil was one of extreme discomfort from the continued down-pour of rain, with only shelter-tents at that time. After a stay of a week in Camp Dewey, the regiment entered, with others, upon the active work of the campaign.

The officers and men of the regiment took an active and enthusiastic part in landing stores, repairing roads, making reconnoissances and maps of the country and of the Spanish lines of defense, building and guarding entrenchments and defending them against the night attacks of the enemy. Private Sterling, of Company K, was the first American soldier to be wounded in the Manila campaign. While returning from fatigue work on entrenchments in front of the regiment, on July 30th, he received a bullet in one of his arms.

During the interval in which the American forces were preparing for the assault upon the city of Manila, there were frequent skirmishes with Spanish troops; and in one of these, in the night of August 1st, the regiment had one man killed and another wounded. Private Frederick E. Springstead, the first Coloradoan killed in that campaign, was shot through the head at that time; and Private Zachary, of Company G, was wounded in the right thigh.

About noon of August 12th, Colonel Hale, being notified by General Greene that the Colorado regiment would have the left of the line, next to the bay, in the attack on Manila on the next day, took a party of 120 men of the regiment (ten from each company), under Captain John S. Stewart and Lieutenant R. W. Means, to clear the ground in front of their position; and with this force also reconnoitered the locality within two hundred yards of the Spanish intrenchments, made sketches showing the trends of the paths, the situations of obstacles, and the course of the Cingalon River, which was to be forded in the advance on Fort San Antonio, and which had been explored tentatively a few days before by Lieutenant Means and Sergeant Clotworthy. The detail began work at dark, and during the night also cut passages through the bamboo thickets and fallen brushwood, and also dug a trench half way between the American and Spanish lines, to be used as a cover in the advance upon the enemy. This work greatly facilitated, and in part rendered possible, the successful operations of the following day.

The assault upon and the capture of the city of Manila occurred on August 13th, and in that affair the First Colorado, which was assigned to the most important position, bore a brilliant part. About 10:30 A. M., after a short bombardment by the navy and the Utah Battery, General Greene directed Colonel Hale to lead his regiment

against the Spanish works and capture Fort San Antonio, giving a flag to Lieutenant Brooks, the Regimental Adjutant, with instructions to raise it in place of the Spanish flag as soon as the fort was taken. Half of the attacking force was thrown forward in an extended firing-line through the field to cover the advance of the other half. The latter moved through the bamboo thickets and along the beach, forded the Cingalon River waist-deep, advancing by a series of rushes, swarmed over and around the flank of the parapet between Fort San Antonio and the bay, and took the fort. While Colonel Hale, assisted by Majors Moses and Anderson, placed his men in positions from which to drive the Spanish troops from Malate, where they had made a temporary stand, Adjutant Brooks, accompanied by Lieutenant Colonel McCoy and Lieutenant Lister, went to Fort San Antonio, where they hauled down the Spanish flag and in its place raised the stars and stripes—the first American flag that floated over the defenses of Manila. This occurred about eleven o'clock in the forenoon. A few minutes later, Color Sergeant Richard Holmes and the Color Guard, who had accompanied Company I to a trench in the outskirts of Malate (a suburban part of Manila), raised our national emblem and their regimental colors upon the roof of the most prominent building in the vicinity, and which were the first American flags that were flung to the breeze within the city limits of Manila. It was here that Private Charles Phoenix, of Company I, was fatally wounded; which, excepting a slight wound received by Private Frank Smith, of Company II, was the regiment's only casualty in the taking of Manila. The Regimental Band had accompanied the troops, playing "A Hot Time in the Old Town To-night"; and later in the day, when possession of the city formally was yielded, it played "The Star Spangled Banner" as the flag was hoisted in the central part of the city.

Upon receipt of cabled recommendations by Generals Merritt and Greene, immediately after the capture of Manila, President McKinley promoted Colonel Hale to the rank of Brigadier General. Governor Adams filled the vacancy by advancing Lieutenant Henry B. McCoy to the command of the regiment, and promoted Major Cassius M. Moses to be Lieutenant Colonel. This was followed by various minor advancements all along the line, as more fully stated upon a subsequent page of this chapter.

After Manila was taken there ensued a period of nearly six months of garrison, outpost, and camp duty by the First Colorado, and which became extremely irksome; and during a considerable part of which the regiment furnished the guard for Bilibid Prison. About the middle of December, 1898, when some of the natives began to be troublesome, the regiment was among the organizations that were placed on outpost duty around the city.

In the night of February 4, 1899, the organized outbreak of the Filipinos, under Aguinaldo, was inaugurated. At that time the First Colorado was stationed near what were known as blockhouse numbers five and six. In repelling the attack on the American troops in that night, several companies of the regiment were engaged; and it was at the taking of blockhouse number 5, in the morning of February 5th (the first insurgent position captured by American troops), that Private Carlson was mortally wounded, dying within an hour. The two blockhouses were captured, with heavy loss to the Filipinos. A part of the Colorado regiment also participated in the recovery of the Manila water-reservoir, on February 5th, and of the pumping-station, on the 6th, of each of which the insurgents had taken possession.

In these encounters with the Filipinos, three men of the regiment were killed and five wounded. The dead were Private Charles Carlson, Elmer F. Doran and Cass White. The wounded recovered speedily.

After having driven the insurgents from the pumping-station, a detachment of the Colorado regiment found parts of the pumping-

machinery which had been removed and buried by the Filipinos, and put them back into their places—thus enabling the city's water supply to be resumed.

Through February and until late in March, the regiment was on guard duty at the pumping-station, on the firing line, and in frequent brushes with the natives in their guerrilla warfare in the Mariquina Valley. In one of the latter engagements, at the village of Mariquina, on March 6th, Private Edward Pyncheon was mortally wounded, his death ensuing on the 20th; Major Charles H. Anderson was shot through the left ankle; and Corporal Charles W. Haskell through the left thigh. On March 20th two privates were wounded by Filipino sharpshooters; and one of them, A. A. Aldrich, died on April 18th.

Companies A, M, and part of E, under Lieutenant Colonel Moses, participated in the advance of the American lines toward Malolos, made on March 25th, and very early in that day these troops were engaged in an ugly fight in the brush. It was while he was leading gallantly Company A in a charge in that engagement that Captain John S. Stewart, of Pueblo, was instantly killed. Two men of Company A and one of Company F were severely wounded at the same time. The insurgents paid dearly on that day for the death of Captain Stewart, as the spirit of revenge took possession of the Colorado men. After this encounter the troops returned to their station at the water-works.

On March 31st, Companies C, D, E, and G of the Colorado regiment, and which had remained on duty in the vicinity of the water-works, in "Camp Alva" (so named in honor of Governor Alva Adams), took part in a movement against Mariquina and San Mateo. The insurgents had prepared for an attack on the water-works, and had intrenched themselves near Mariquina. Early in the morning of March 31st, the four companies, under the command of Colonel McCoy, and acting in coöperation with other troops, set out from Camp Alva to drive the Filipinos from their defenses. It was on that march that our men made their famous river-crossing, wading waist-deep while facing a volley from the insurgents, who took to their heels immediately afterward. Our troops pushed on up the valley, and when they were within a mile of San Mateo encountered a long line of intrenchments swarming with Filipinos. In the assault upon these lines and the routing of the enemy, Corporal Leonard Phillippi was shot through the head, death ensuing on the next day; and six men were wounded, two of whom, H. E. Redmond, of Company C, and John Dennis, of Company G, very severely.

Through April and May, 1899, the reunited companies of the First Colorado remained at Camp Alva on guard duty, the tedium of which was broken by frequent expeditions by detachments into the surrounding country after bands of insurgents. Sometimes the latter were encountered and sometimes they were not. On May 1st, Sergeant Clifford H. Bowser, of Company K, walked into a nest of them. He had gone, with six men of his company, on a reconnoissance in the direction of San Mateo, and when about five miles out he concealed his men and then went ahead alone to see what he could find. He found five Filipinos, all of whom fired on him. With a bullet-wound in his left arm and shoulder, the Sergeant retreated, with the Filipinos after him. When the latter came within close range, the Sergeant's men killed three of them and wounded the other two, who made off. The squad then returned to Camp Alva, and the wounded Sergeant was sent to the hospital, where his arm was amputated, and where he died on the 9th of June.

Another squad, which went scouting toward Maraquina on May 23d, was equally unfortunate. Sergeant C. B. Clark and four men, of Company C, constituted the force. In his zeal, Private Harry L. Doxsee pushed ahead of the others, and was fired upon by some insurgents and killed. The others were driven back, leaving Doxsee behind. On the

next day. Companies A, B, C, and D attacked the same band of Filipinos, which numbered about fifty, dispersed them, and recovered Doozee's body, which was buried in the National Cemetery at Manila, on the 24th.

Late in May, General Lawson decided to move with a strong force against Antipolo, a Filipino fastness and refuge in the mountains to the northward of Pasig City. An effort in that direction had been made by General Wheaton's troops about the middle of March, but it had not accomplished all that had been desired. In the morning of June 3d, a body of 2,500 men, under the command of General Robert H. Hall, started across the Maraquina Valley and toward the mountains; and in this expedition the First Colorado was represented by companies A, C, F, G, K, and L. The highlands were reached shortly after the noon hour, when further advance was resisted by swarms of insurgents hidden in the undergrowth upon the mountain slopes. Great difficulty was experienced in moving the wagons and the battery of small guns after the troops reached the hills; and the toil, heat and guerrilla-fighting made the days' experience a very hard one.

When the force had reached a point about three miles from Antipolo it went into camp for the night. In the next morning the Colorado companies were placed on the skirmish line, and while serving there Charles T. Hickman, of Company A, was wounded.

Another column, under General Lawton, had in the meantime moved upon Antipolo by a different route, as the plan of operations provided for attacking the place by front and by rear. General Hall's command advanced early in the morning of June 4th, and surrounded Antipolo at about nine o'clock. The town was found to be deserted, the inhabitants as well as the insurgents having fled to Morong, on the shore of Laguna de Bay, after they had discovered that the Americans were coming from both directions. Lawton's command had taken two other villages, and late in the evening of June 4th a part of it reached Morong by water and soon was in possession of the town, from which, however, most of the insurgents who occupied it had managed to escape. Hall's column, moving down the mountains, arrived at Morong in the morning of the 5th, and in the afternoon of the 6th, the command set out, along the shore of the Laguna, upon its return to the Manila water-works, at which it arrived on June 7th, after having had a very rough and toilsome footing of about fifty miles, under most exhausting climatic conditions. The only casualty in the Colorado companies was the one already mentioned.

The next expedition against the insurgents in which our men took part was under the command of General Lawton, for the purpose of dispersing a body of Filipinos, supposed to number between 7,000 and 8,000, at and near Paranaque and Las Pinas, where they had been assembling for several months. The American force consisted of 5,000 men, all of whom were regulars excepting one troop of Nevada Cavalry, and companies B, D, E, F, I and M, of the First Colorado, under Colonel McCoy. The Colorado companies were divided into two battalions, one of which was commanded by Lieutenant Colonel Moses and the other by Major W. R. Grove. The force rendezvoused at San Pedro Macati, and before dawn of the morning of June 10th it moved out, with the Colorado companies at the head of General Wheaton's brigade, which led the way into a hilly, rocky and jungle-grown district. Soon after daybreak the insurgents were encountered and the fighting began, with the Colorado men on the skirmish line. A large number of the insurgents were intrenched on a thicket-covered hill, and in the advance upon them Lieutenant Colonel Moses was shot in the left forearm, an artery being severed; Corporal Frederiek Reed and Private W. J. Currier, both of Company E, were severely wounded by one bullet; Private Hegewer was struck in the neck, Private Maeklem in the temple, Private Morrill through the neck, Private Henry in

the right arm, Sergeant La Shell in the left arm, Private Young in the knee, and Private Duval had one of his legs broken. The latter died of his injury a few weeks later.

But the bill was taken and its defenders were scattered over the adjacent country, hiding in thickets, and in the high grass and bamboo-brakes. They were pursued continuously during the day, which was extremely warm, and the American troops suffered severely from a lack of water. The Filipinos hid with the cunning of foxes, and the search for them was reduced to close hunting. Late in the day a small body of the Americans, of which our Company E was a part, came upon a swarm of them in some timber, and soon was engaged so warmly that help was needed, as a division of the insurgents had managed to take a position on their flank and were threatening serious trouble. The other Colorado companies, with a regiment of the regulars, after having forded several deep streams, came up, and the Filipinos, who numbered about five hundred, quickly were scattered. It was in this affair that Private Joseph Kearns, of Company M, was shot through one of his legs. The little army of Americans moved on until the coming of darkness, and then put in the night in a dribbling rain and without shelter as best it could. On the next day our troops occupied the town of Las Pinas without resistance, the fighting Filipinos having disappeared.

This was the last field service in which the Colorado regiment, or any part of it, was engaged. Late in the afternoon of June 11th, the Colorado companies started from Las Pinas on their march of ten miles back to Manila, going by the way of Paranaque. They went into quarters in Manila in the evening of that day, and on the 12th resumed their station at the water-works, where the greater part of the regiment remained until the organization embarked for home. On June 12th, Private Edgar Pate, of Company H, while lying in his tent, was wounded in one of his knees by a Filipino bullet. This was the last casualty that befell any member of the regiment.

General Hale's services in the Philippines were exceptionally brilliant. After his promotion to the rank of Brigadier General, he succeeded General Greene, on September 7, 1898, in command of the Second Brigade, Second Division, of the Eighth Army Corps, which was quartered in the northwestern part of the city of Manila. At the outbreak of the Filipino insurrection, on February 4, 1899, this brigade consisted of the First Colorado, First Nebraska, and First South Dakota volunteers, and which maintained a line of outposts which extended from blockhouse No. 4, near La Loma church, southeasterly, past blockhouses 5, 6, and 7 and the Santa Mesa and San Juan bridges, to the junction of the San Juan and Pasig rivers.

It was on the Nebraska front, opposite blockhouse No. 7, that the insurgents made their first attack. After some weeks of prowling near the American lines by the hostile Filipinos, a party of them advanced upon a Nebraska outpost about 8:30 in the evening of February 4th, and from which they were fired upon, after they had disregarded repeated challenges. The insurgents returned the fire, which, in accordance with a prearranged plan, was taken by other bands stationed at various points in front of the American lines. So the Filipino War was on.

The American troops promptly had moved to their assigned positions, which were held during the night, and from which the enemy's fire was returned as opportunities were afforded. In the next morning, the Utah Battery, which was stationed with the Colorado troops, at the Sampaloc Cemetery, in the center of the brigade, opened fire upon blockhouse No. 5 and the adjacent trenches. After a lively bombardment, General Hale directed Colonel McCoy to send Major Anderson's battalion against the blockhouse, with orders to take it. This was done gallantly and immediately, and was the first assault and capture in the

Filipino War. Orders then were sent to Colonel Frost, of the First South Dakota, to take blockhouse No. 4; to Colonel Moses, with the right wing of the Colorado regiment, to charge blockhouse No. 6; and to Colonel Stotzenburg, of the First Nebraska, with his regiment and the Colorado companies D and E, to capture blockhouse No. 7, the San Juan bridge, and the Deposito (the water-works reservoir). All of these objectives were taken in a sweeping movement, and before noon-time the Second Brigade was in possession of the entire insurgent line in its front, and the Filipinos were in wild retreat.

On February 6th, General Hale, with a part of his brigade (companies D and I, of the First Colorado, under Major Grove; the First Nebraska; a battalion of Tennesseans; and a battalion of the Twenty-third United States Infantry), moved against the Manila water-works pumping station, which the Filipinos had seized, and which were situated about seven miles east of the city. After a cross-country fight, the insurgents were scattered and the troops took possession of the water-works, and thus assured the safety of Manila's water supply.

The Colorado companies then returned to their regiment, which occupied an intrenched line from near blockhouse No. 4 to blockhouse No. 7; the latter being in the vicinity of the San Juan bridge. The First Nebraska guarded the reservoir, and the line of pipe from the water-works to the city, until March 14th, when it changed places with the First Colorado, more or less companies of which protected the water system from that time until the regiment's departure for home.

When, on March 25th, General MacArthur's campaign into the north was undertaken, the Colorado regiment was separated from General Hale's brigade, much to his regret as well as that of its men. But General Otis had deemed it unwise to assign less experienced troops to the important duty of protecting Manila's water supply. After this change, General Hale's brigade consisted of the First Nebraska, the First South Dakota, and the Tenth Pennsylvania, the latter having been substituted for the First Colorado.

The objective of the campaign into the north was the town of Malolos, the Filipino capital. It was ended with the capture of Malolos, on March 31st, after seven days of marching and fighting, in which the insurgents were driven from intrenchment after intrenchment. The Second Brigade had been engaged, on the 25th, at San Francisco del Morte, Banlae, and at the Tuliahan River; on the 26th, at Meycauayan (near Polo), where General Hale was slightly wounded and his aide, Captain Krayenbuhl, was killed; on the 27th, at Tigogon Arroya, Bocave River, Santa Maria, and Guiginto, where Captain F. L. Perry, of the First Colorado, serving as aide to General Hale, was slightly wounded; on the 29th, at Marilas, where Private H. B. Kerr, of Company H, of the First Colorado, who was serving as Captain Perry's orderly, was dangerously wounded in the chest; on the 30th, north of Guiginto; and on the 31st in the taking of Malolos. The brigade remained at Malolos about three weeks, during which time the Tenth Pennsylvania was relieved by the Fifty-first Iowa.

On April 23d, General MacArthur's division began the campaign against Calumpit, the new capital of the Filipinos, and which the insurgents considered to be impregnable. The Second Brigade executed a turning movement to the north, and then to the west, and was heavily engaged, on the first day, at Quinga, where Colonel Stotzenburg, of the First Nebraska, was killed in a charge in which the killed and the wounded of his firing-line aggregated twenty per cent. of those engaged. On April 24th, the brigade again encountered the insurgents, at the crossing of the Quinga River, at the town of Pulilan, and also to the west of Pulilan. A more serious affair was that of April 25th, at the Calumpit River, at a point where that stream was not more than fifty yards wide. After a lively engagement between the contending forces, with the river between them, General Hale and Major

Mulford (the latter of the First Nebraska) led a part of the First Brigade across the Calumpit, where the water was up to their waists, flanked the insurgents from their trenches, and captured the town of Calumpit. The Filipinos retreated across the Rio Grande Paupauga to a new position, from which they were driven, a few days later, by General Wheaton's brigade. On May 2d, General Hale took a part of his brigade back to Pulilan, to support General Lawton's movement against Baliuag, and then returned to Calumpit, on May 3d.

Aguinaldo having set up his movable capital at San Fernando, General MacArthur's division moved against that place on May 4th, supported by Hale's brigade and Wheaton's. The insurgents were met south of Santo Tomas, and after an advance of two miles through deep swamps, the Americans drove them back to San Fernando. On the next day, under orders from General MacArthur, General Hale took the First Iowa and with it, by a turning movement, forded the San Fernando River and gained possession of the town. MacArthur's division established headquarters at San Fernando, and during the next two months had numerous engagements with the Filipinos in its vicinity.

General Hale was relieved from command of the Second Brigade on July 5, 1899, to return to the United States with the First Colorado, and sailed from Manila on the transport *Warren*, accompanied by Mrs. Hale, who had been in Manila since early in February of that year.

Orders for the First Colorado to prepare for embarkation were issued on July 4th, and its camp at the Manila water-works was broken on the next day. On July 6th, the regiment marched into the city, where final preparations for its homeward voyage were made. After a stay of a little more than a week in Manila, the regiment boarded the transport *Warren* on July 15th, and on the 18th the vessel steamed away—exactly one year from the day on which the First Colorado had set foot upon Luzon soil. Within that year, and aside from the fighting it had done, the organization had had experience with all the varied and trying phases of climatic conditions and consequences of which the tropical Philippines are capable of producing.

The *Warren* proceeded to Nagasaki, Japan, which she reached on July 25th. After having replenished her fuel and stores, the transport put out for Yokohama, and arrived there on July 30th. Three days later, she started for San Francisco, and after a fair voyage entered her home port on August 16th. On the homeward way there were two deaths among the members of the First Colorado—Private Frank B. Lindsey, of Company L; and Ivan Tinnerholm, of Company H. Private Frank Neptune, of Company H, died soon after he landed at San Francisco.

About ten per cent. of the members of the regiment had asked and received discharges at Manila, having decided to remain in the Philippines. At that time, the Thirty-sixth Regiment of United States Volunteers was in the process of formation there, and thirty of the discharged Colorado men at once enlisted in it. Several officers of the First Colorado resigned at Manila to take commissions in the Thirty-sixth. These were Major W. R. Grove, who became Lieutenant Colonel, and later Colonel, of the Thirty-sixth; Captain E. E. Booth, and Lieutenants C. H. Sleeper, C. F. O'Keefe, and Benjamin Lear.

During the sixteen months of the First Colorado's service to the United States, many promotions and other changes were made among its officers, as has been indicated in the foregoing accounts, and several men in the ranks received well-earned commissions. The first of the changes occurred in the Hospital Corps. Soon after the regiment arrived at San Francisco, on its way to the field of action, Surgeon Clayton Parkhill was called from it and attached to the Department of the Pacific; and later he was transferred to service in Cuba. His position was filled by the advancement of Captain Lewis H. Kemble. Lieutenant C. E. Loeke moved into Captain Kemble's place, and Private David D.

Thornton became a Lieutenant Surgeon. As the reader has seen, Colonel Hale was not long at the head of the regiment in the Philippines. On September 3d, he received information that he had been appointed Brigadier General of Volunteers, to date from the day on which the city of Manila was taken. Therefore he relinquished command of the First Colorado, on the 7th of that month. Lieutenant Colonel Henry B. McCoy then became Colonel, Major Cassius M. Moses Lieutenant Colonel, Major Charles H. Anderson Senior Major, and Captain W. R. Grove Major. Lieutenant Alexander McD. Brooks was advanced to a Captaincy, and later was attached to General Hale's staff, as Adjutant General of the Second Brigade. At the same time, Lieutenant Fred. L. Perry was appointed to be Hale's aide. Second Lieutenant R. W. Means was promoted First Lieutenant, and Sergeant Henry L. Clotworthy was made a Second Lieutenant, for gallantry in daring reconnoissances. Later promotions made Lieutenant Hilton a Captain, Second Lieutenant Fred. L. Perry a First Lieutenant, and First Sergeant Benjamin Lear a Second Lieutenant. Still later, Sergeant Major Tingley C. Wood was appointed Second Lieutenant, to succeed Charles E. Hooper, resigned; and First Sergeant Cecil B. West to be Second Lieutenant, succeeding Franklin Ballou, Jr., resigned.

About the time in which the regiment was engaged in its last field service (June, 1899), several more promotions and other changes were made. Second Lieutenant Albert J. Luther, of Company D, succeeded First Lieutenant W. J. Vannice, of Company K, who had resigned on account of broken health; Sergeant Frank DeVotie, and Sergeant Jud Palmer, of Company G, were made Lieutenants. Lieutenant Borstadt was transferred to Company K, and Lieutenant West to Company F, in place of Charles O. Zollars, who had resigned.

In consequence of the resignation of several of the regiment's officers at Manila, just before the organization sailed for home, as already mentioned, there were various vacancies to be filled, and occupied until the regiment should be mustered out of service. The appointments to these, which were cabled to Manila and received on the day in which the regiment went on board of the transport *Warren*, made Captain David P. LaSalle a Major; Lieutenants W. T. Dortenbach and George Borstadt, Captains; Second Lieutenants James A. Gowdy, Walter P. Burke, Ralph B. Lister, and Samuel E. Thomas, First Lieutenants. The vacancies caused by the latter group of advancements were filled from the ranks, by the promotion of Sergeant Major Frederick Gross, First Sergeants A. B. Teal and Russell H. Ingersoll, and Sergeants A. L. Bing, Alexander Shaw, and H. I. Lawrence.

The First Colorado was one of the regiments of the Second Brigade, which at first was commanded by General Francis V. Greene, and later by General Irving Hale. In March, 1899, it was transferred to the Third Brigade, which was under the command of General Robert H. Hall.

The other volunteer organizations that served in the Philippines contemporaneously with the First Colorado were the First California, the First Idaho, Fifty-first Iowa, Twentieth Kansas, Thirteenth Minnesota, First Montana, First Nebraska, First North Dakota, Second Oregon, Tenth Pennsylvania, First South Dakota, First Tennessee, First Washington, First Wyoming, and the Utah Light Artillery. Not one of these organizations proved to be superior to the First Colorado. After the capture of Manila, Major General Greene declared that the latter had been the backbone of his brigade.

The regiment was met at San Francisco by Governor Charles S. Thomas, Adjutant General J. C. Overmeyer, and a party of Colorado citizens, including representatives of several of the State's newspapers. The regiment was mustered out at the Presidio (near San Francisco), on September 8th, and the railway trains that bore them away arrived at Denver in the morning of September 14th.

Under the army regulations, the men were entitled to receive from the United States their transportation to the place of their enlistment, or "travel pay" in lieu thereof. In order that they might receive and keep their travel pay, a fund of about \$35,000 was contributed in Denver by popular subscriptions to pay for transporting the men home by special trains. The homeward route of travel was by way of the Union Pacific, the Rio Grande Western, and the Denver & Rio Grande railways; and several of the companies were left at their home towns as the trains came to these. However, a majority of the men went on to Denver, where they received a royal welcome, the day of their arrival having been made a public holiday.

The men marched up Sixteenth Street, on their way to the Capitol, through a mass of cheering humanity. The Capitol Park was occupied by an immense congregation of people, of both sexes and all ages. There, at the west front of the Capitol, with appropriate addresses and ceremonies, the stained and torn colors of the regiment were delivered to the Governor of the State, while an artillery salute was fired by the Chaffee Light Artillery. When the returning men had reached the western boundary of Colorado they had been presented with a new and fine silk flag, which included in the standards that now were delivered to Governor Thomas. The Color Sergeant of the regiment, Richard Holmes, was a young giant, who stood six and one-half feet in height.

Upon the conclusion of these ceremonies, the men were taken to a feast that had been prepared for them; and after having disposed of this, they separated and, in the American way, quietly returned to the walks of civil life, where, within a few days, they were blended in the ranks of the great army engaged in the pursuits of peace.

By popular subscriptions a fund was raised to defray the cost of providing a suitable certificate of service, and a bronze medal commemorative of patriotism and gallantry, for each man who enlisted in the State of Colorado for service in the war with Spain, and which were presented to the men soon after the organizations returned home.

During its term of service, the First Colorado lost forty men, of whom one was a commissioned officer, one a musician, and the others non-commissioned officers and privates. The battle-losses were light, comparatively. Six men, including the commissioned officer, were killed in action; six died of wounds—in two cases very soon after they were struck; one committed suicide; one was drowned; and twenty-six died of disease. In a few instances the type of disease was not stated.

Considering the fact that the regiment numbered about 1,300 officers and men, and that it served a year in a tropical country having climatic conditions to which the men were strangers, the small number of deaths by disease proves not only the remarkable physical excellence of the men, but also indicates careful attentions to sanitary precautions and an unusually efficient hospital corps and service. The following is the mortality-list of the First Colorado from muster-in to muster-out:

Aldrich, Archie A., Company E, died of wound, at Manila, April 18, 1899.

Bell, William H., Company C, smallpox, January 11, 1899.

Bowser, Clifford H., Company K, of wounds, June 9, 1899.

Bryant, R. M., Company K, variola, February 25, 1899.

Bush, W. H., Company I, dysentery, March 24, 1899.

Carlson, Charles, Company L, killed in action, February 5, 1899.

Daniel, Elmer E., unassigned, septicaemia, at San Francisco, August 1, 1898.

Dawson, B. W., unassigned, remittent malarial fever, at Honolulu, October 24, 1898.

Donahue, W. J., Company F, variola, February 26, 1899.

Doran, Elmer F., Company I, killed in action, February 5, 1899.

Downing, Walter, Company L, acute dysentery, November 22, 1898.
 Dorse, Harry L., Company C, killed in action, May 23, 1899.
 Duval, Frank A., Company F, of wound, June 28, 1899.
 Falkenburg, Harry C., musician, smallpox, January 20, 1899.
 Haviland, Albert, Company F, variola, February 24, 1899.
 Hegewer, Bert C., unassigned, spinal meningitis, at San Francisco, August 15, 1898.

Jefferson, W. S., Company G, typhoid fever, at San Francisco, November 20, 1898.

Lillie, Charles, Company I, acute diarrhoea, February 10, 1899.

Lindsey, Frank B., Company L, died at sea on homeward voyage, August 8, 1899.

Loosa, August H., unassigned, septicaemia, at San Francisco, August 5, 1898.

McDowell, Harry A., Company M, suicide, December 4, 1898.

McMurray, William S., Company C, accidentally drowned, November 2, 1898.

Neptune, Frank D., Company H, at San Francisco upon return, August 22, 1899.

Phillippi, Leonard E., Company G, of wound, April 1, 1899.

Phoenix, Charles, Company I, of wound, August 18, 1898.

Pyncheon, Edward R., Company K, of wound, March 20, 1899.

Ramsay, Arthur, Company F, spinal meningitis, February 20, 1899.

Reisig, Harry J., Company M, "of disease," July 14, 1899.

Sarazin, Norbert, Company B, typhoid fever, October 4, 1898.

Samuels, David I., Company I, smallpox, December 20, 1898.

Seroggs, John A., Company A, acute malaria, October 4, 1898.

Smith, Bernard J., Company B, variola, March 18, 1899.

Springstead, F. E., Company K, killed in action, August 1, 1898.

Stewart, Captain John S., Company A, killed in action, March 25, 1899.

Sullivan, Niel C., Company H, spinal meningitis, June 4, 1898.

Tinnerholm, Ivan, Company H, tuberculosis, at sea on homeward voyage, August 2, 1899.

Warrington, George W., Company F, dysentery, July 8, 1899.

White, Cass, Company D, killed in action, February 5, 1899.

Whiteside, Thomas F., Company M, "of disease," at Manila, March 23, 1899.

Wise, Walter W., spinal meningitis, at sea, July 5, 1898.

It has been stated officially that the percentage of mortality by disease in the First Colorado was less than in any other regiment of equal numerical strength engaged in the foreign service of the United States during the war with Spain—a fact in which is reflected the quality and character of the regiment's officers and men.

The two troops of cavalry and the battery of artillery which constituted the remainder of Colorado's apportionment of soldiers for the Spanish War, had been, as mentioned hereinbefore, promptly organized. Our State had at that time three skeleton troops of cavalry in our National Guard, viz.: Troop A, at Leadville; and Troop B and Troop C at Denver. As A and B were the ranking organizations, Troop C had to refrain from the contest for a place in the apportionment, although it was rendezvoused at Camp Adams. Troops A and B actually were mustered into the United States service on May 6th, but the date was, for reasons not important here, officially made as of May 1st. These were the only cavalry organizations that Colorado could put into the service during the war, because of the clamor for recognition that arose in every other State of the Union. The three troops of cavalry had arrived at Camp Adams on April 29th; and Troop B was the first of any branch of the service to be mustered in, although it was ahead of the First Colorado Infantry only a small part of a day. As Leadville was the headquarters of Troop A, and Denver of Troop B,

the two generally were regarded as representing, respectively, the two cities; but the facts were that in raising the two troops from their skeleton form to the full strength of eighty-four enlisted men recruits were received from various places in the State. The Leadville troop had gone to Camp Adams with its complement nearly filled, but the Denver organization was of less than half-strength. However, the vacancies in both were filled quickly, as there was a great scramble to "get in."

The officers of Troop A, as mustered into the United States service, were Charles A. McNutt, Captain; John Harvey, Jr., First Lieutenant; Frederick A. Follett, Second Lieutenant. Of Troop B, William G. Wheeler, Captain; Arthur L. B. Davies, First Lieutenant; Francis A. Perry, Second Lieutenant. All of these had been, respectively, the officers of the troops as organizations in the National Guard.

These cavalry organizations were assigned to the Second Regiment of United States Volunteer Cavalry, which was under the command of Colonel Jay L. Torrey, who was the originator of the "Rough Rider" idea of cavalry organizations for the Spanish War, and who was chiefly instrumental in having it approved at Washington.

The two troops left Denver on May 30th, and proceeded to Fort D. A. Russell, near Cheyenne, Wyoming, where the regiment was organized, and where, retaining their letter designations, they became the ranking troops of "Torrey's Rough Riders." Of the remainder of the regiment, seven troops were from Wyoming, one from Utah, one from Nevada, and one from Idaho; its strength being 1,028 carefully-selected men, finely equipped and superbly mounted. Many men from northern Colorado had enlisted in the Wyoming organizations, but had no identity as volunteers from our State.

The regiment left Fort Russell on June 22d, with orders to join the Seventh Army Corps, under General Fitzhugh Lee, at Jacksonville, Florida, where it arrived on June 28th, and went into camp at Panama Park, near that city. While on the way, one of its men was killed at St. Louis by falling under the wheels of his train; and in a collision, at Tupelo, Mississippi, of two sections of the train that carried the regiment, six men were killed, and many others were injured—one of whom was Colonel Torrey, whose feet were crushed. But none of the Colorado men was among the victims of that accident, although two were hurt slightly.

The regiment had been organized in anticipation of immediate service in Cuba, and later the Seventh Corps was selected as the one to lead in a contemplated attack upon the city of Havana. But the course of events was so swift in relation to Cuba that the corps was not required to leave Florida. Therefore, the Second Regiment, which was as fine a body of cavalry as ever was organized in any country, saw no fighting service, but remained in camp near Jacksonville until it was mustered out, on October 24, 1898.

Before the regiment left Fort Russell, Captain Wheeler, of Troop B, had been promoted to be Major; Lieutenant Davies had been advanced to the Captaincy of the troop; and Sergeant Cyrus E. Mead had been made Second Lieutenant. While in camp near Jacksonville, five of the Colorado men fell victims to fever, and of whom four had been members of Troop B. Ralph S. Johnson died on September 10th; William J. O'Brien, on September 13th; Peter E. Moss and George G. Nellis, on September 15th. The fifth man was Sergeant Thomas A. Woodhall, of Denver, serving on Colonel Torrey's staff, and who died on October 2d. No deaths occurred among the members of Troop A.

The Chaffee Light Artillery was in one sense the basis upon which the Colorado Battery was organized, although the latter was made up almost wholly of new men, most of whom were from Denver and that city's immediate vicinity. The battery was not mustered into the United Service until July 1, 1898. On the next day it was

transferred to Fort Logan, near Denver, and where it remained in camp until August 12th, when it set out by rail to Fort Hancock, New Jersey, at which post it arrived on August 16th. Its officers were Harry J. Parks, Captain; John G. Locke, First Lieutenant; John C. Exline, Second Lieutenant. All of these were Denver men. The organization was designated as Battery A, First Colorado Volunteer Artillery; but as the regimental organization had no existence, and as the battery was not attached to any other, it really was an independent battery during term of service. It remained at Fort Hancock until mustered out, on November 7, 1898, and without having had a death among its members. As in the two troops of Colorado cavalry, the battery made no war record, because it was given no opportunity to do so.

Two young men of Denver, Herbert A. Lafferty and Thomas R. Sullivan, who received commissions in the United States service early in 1898, died in service before the close of that year. After having completed full course of the "East Denver" High School, Lafferty had entered the West Point Military Academy, where he was graduated in February, 1898, and immediately was assigned to the Seventh Regiment of United States Infantry (regular), with the rank of Second Lieutenant. He served in Cuba with his regiment, and died at Montauk Point, New York, on September 17, 1898, in consequence of a wound received at Santiago, Cuba. Sullivan had been a member of cavalry Troop B, Colorado National Guard, and from which he was honorably discharged, by a special order from the State's Adjutant General, on March 9, 1898, to enable him to accept a commission as First Lieutenant in one of the United States volunteer organizations. Assigned to Company I, First Regiment of United States Volunteer Engineers, he served with it in Porto Rico, where he contracted a fever which caused his death, in a hospital in New York City, on November 3, 1898.

During the brief period of the war with Spain, and for several months after the fall of Santiago, Cuba, which practically had ended the conflict, Fort Logan was the scene of much military activity. In the spring of 1898 the scattered companies of several of the regular regiments rendezvoused there, and thence proceeded to their new fields of service. After Spain had asked for peace, regular troops were returned to that post; and when the Filipino insurrection broke out the regulars went forth on their way to the Orient to sustain the authority of our Nation. So it was, that with the going and returning of volunteers, and the movements of regulars, through a period of about eighteen months, one phase of war was brought directly before the people of our State.

CHAPTER XXXV.

COLORADO'S RECOVERY AFTER THE PANIC OF 1893.—CONSERVATIVE AND SUBSTANTIAL CHARACTER OF THE STATE'S ADVANCEMENT.—AFTER-EFFECTS OF DEPRECIATION IN THE MARKET-WORTH OF SILVER, AND OF UNDUE SPECULATION IN URBAN REAL-ESTATE.—RECOGNITION OF THE NEED FOR A BROADER DEVELOPMENT OF THE STATE'S NATURAL RESOURCES.—CRIPPLE CREEK'S TIMELY REVELATIONS.—ENCOURAGING INFLUENCES OF ITS OUTPUT OF GOLD.—INCREASE IN VALUES OF PRODUCTIVE LANDS.—YIELDS OF GOLD IN THE STATE IN THE CLOSING YEARS OF THE '90s.—INTRODUCTION OF THE CULTURE OF THE SUGAR-BEET INTO COLORADO.—OUTLINES OF THE HISTORY OF THE PIONEER ATTEMPT TO ACCOMPLISH A LIKE PURPOSE.—CAUSES OF ITS FAILURE.—THE MOVEMENT THAT RESULTED SUCCESSFULLY, IN 1899.—LOCATION AND CONSTRUCTION OF THE STATE'S FIRST SUGAR FACTORY.—GREAT DEVELOPMENT AND VALUE OF THE NEW INDUSTRY.—RESULTS OF THE FEDERAL CENSUS, OF 1900.—COLORADO'S REMARKABLE EXPANSION IN POPULATION.—THE STATE'S PROGRESS, AND EXTENSION OF AGRICULTURE, SINCE THE ADVENT OF THE TWENTIETH CENTURY.—TRAGIC CONSEQUENCES OF LABOR CONFLICTS IN GOLD-MINING SECTIONS OF THE STATE.—NEW AND EXCEPTIONAL FORM OF MUNICIPAL GOVERNMENT THAT MADE DENVER BOTH A CITY AND A COUNTY.—UNIQUE POLITICAL EPISODE, IN 1905.—PRODUCTION OF A SITUATION IN WHICH COLORADO HAD THREE LAWFUL GOVERNORS WITHIN TWENTY-FOUR HOURS.—GROWTH OF THE STATE'S AGRICULTURAL, MANUFACTURING, AND OTHER INDUSTRIES.—PRESENT CONDITION OF MINING FOR THE PRECIOUS METALS.—RESULTS OF THE FEDERAL CENSUS, OF 1910.—COLORADO'S LARGE RATIO OF INCREASE OF POPULATION.—PROMISES OF GREAT EXTENSION OF IRRIGATION.—STABILITY OF GENERAL CONDITIONS IN THE STATE.—COLORADO'S SERIES OF "UPS AND DOWNS" IN PAST TIMES.—BRIGHT PROSPECTS THAT BECKON THE STATE ONWARD AND UPWARD.

Ere the beginning of the War with Spain, Colorado had made very substantial progress in recovering from the destructive effects of the disaster that had been precipitated upon that State so suddenly five years before; and that period of convalescence had been characterized by a large measure of proper conservatism, and also by a fixed disposition to rebuild upon foundations that were more substantial than those that supported the elements of chance or the illusions with which extravagant expectations and eager ambitions for quick-coming wealth so often betray those who persist in clinging to them. Consideration of the circumstances that had attended this gratifying change in conditions requires us to turn back to the close of the year 1894.

The demarcation between an "old" and a "new" year is one of mankind's wholly artificial contrivances, and was not so intelligently laid down as it would have been had it coincided with the winter solstice. As it is, it is entirely arbitrary, and has no more definiteness, in the sense of marking changed conditions, that is to be observed in the transition from one of the seasons into the next. Still, through the influence of a custom that has existed for ages, we have acquired something like a conviction that the ending of an "old" year and the beginning of a "new" one are separated by a distinctive line over which

we step when the "midnight bells ring out the old and ring in the new." With a simple faith, that goes far toward justifying the long-standing opinion of iconoclasts that, after all, men and women generally are but grown-up children, we believe that the new year will be favorably different from the one which has reached its end; that it will be more kindly to us, and that we shall do better on our own account; and also that if the ambitions of our lives be not fully attained within the new period they will be brought so near to fulfillment that their consummation can not be delayed very much longer.

The people of Colorado had parted with the year 1894 without a trace of regret, and had welcomed its successor with a large share of the courage and hopefulness that seems to be indigenous to our western country; and with a resolution again to institute a forward movement—leaving the recent past to bury its dead. There had been eighteen months of about as trying and desolating conditions as any modern community ever was required to endure and overcome in a time of peace; and therefore our people gladly stepped across the line that, it was hoped, would mark definitely the end of that long season of trouble and grievous loss, as well as the beginning of a year in which the tide of misfortune would recede rapidly.

As I have mentioned in a preceding chapter of this volume, owners of silver-mines and speculators in urban real-estate had suffered losses relatively much heavier than those which had fallen upon men engaged in other pursuits. The quick depreciation of the selling-price of silver, from its coinage-value of one dollar and twenty-nine cents and a fraction to its market-value, as a commodity, of about two-fifths of that sum, was, financially, fatal to a great number of owners of silver-mines. The collapse of urban real-estate values generally entailed losses equally great in proportion. By the advent of the decade of the '90s, the fever for speculating in such real-estate, both "inside" and "outlying" property, had become a mania. A great number of square miles of land has been platted into town lots, which were thrown upon the market here, and there, and everywhere. On the other side of the counter stood thousands of customers who were eager to acquire title—with mortgage accessories—to more or less real-estate, according to their financial resources; and those who had to limit themselves to small holdings were as extravagant, relatively, if not more so, in their anticipations of gain as were those who had much more. The fate of the great majority of such investments was destructive of the money-worth which had been attributed to them; and the sufferers thereby had ranged from "landed millionaires" and men "in easy circumstances" to those "of moderate means" and on downward to the holders of single lots, many of which were the sites of undisturbed habitations of prairie dogs.

While these and other consequences of the desolating events of 1893 had appeared at the time to be ruinous to Colorado, the experience and results in the years that have followed have proved that they were not wholly evil. They gave birth to a general realization of the danger that hovers over any extensive community that applies its energies mainly to one line of actual production, to which all other activities practically are subordinated and reduced to the condition of dependency; and also to a conviction of the immediate need for a broader development of other natural resources of the State. During several years next before 1893, the efforts of a host of Colorado's people, and the thoughts and indirect interest of a very large portion of the others, were huddled around the silver-mines. Not the least of the undesirable influences of that condition was the narrowing of public views and opinions, an undue exaltation of self-interest, and a contraction of the economic and political horizons.

So it followed that agriculture, horticulture, manufacturing, coal-mining, and other productive industrial-enterprises had received minor

attention, excepting in so far as they were incidentally connected with and dependent on the pursuit that predominated in the thoughts and regulated the undertakings of a large majority of the State's population. Even gold-mining, the original industry in the Pike's Peak country, had, comparatively, fallen into decadence, as we have seen in a tabulated statement in Chapter XXIV, of this volume; although the value of its output was increased from \$4,016,229 in 1890 (and which was close to the highest yield since pioneer times) to \$7,487,071 in 1893. But, as I have remarked in a preceding chapter, a large part of these results were by-products of silver-mining.

Soon after the rude interruption and collapse of the previous conditions, a remarkable change set in; and presently there became visible a definite and encouraging reflection of some of the helpful uses of adversity. These were manifested by the rise and expansion of a broader spirit in the State; in a determination to have, instead of a near approach to unity, a greater diversity of ways and means for engaging the interest and activity of the people; and therefore that the future upbuilding of Colorado and the prosperity and happiness of its population should depend less on mining for the precious metals and more on the development and use of the State's other natural resources.

The only distinctively encouraging rift that had appeared in the cloud that hung over the State in 1894, was a very significant increase in the production of gold in that year, and which amounted to \$10,616,463, or more than forty per cent. above that of 1893. Of this gold, the ratio that was a by-product of silver-mining was much lower than that of the years of the "silver boom"; and a conspicuous part of the metal came from the new camp of Cripple Creek.

However, general recovery had been slow in 1895, and it may be said that the year was a period rather of preparation than of actual accomplishment, aside from further development of gold-mining, which proceeded with increasing activity. But much of the wreckage with which the State had been strewn was removed, and the attention of many of the people, who had not before considered agriculture and horticulture directly for gaining the means of living and of a competence, now was applied to them. The more important of the results in gold-mining had come to pass at Cripple Creek, and the richness of the camp's gold-bearing ores, extending over a wide field, had been positively demonstrated by the production of the metal in quantities that represented large values. The output of gold in the State, in that year, was of the worth of \$15,013,434, or about fifty per cent. more than that of the yield in 1894. These proceeds from the gold-mines seemed to some persons to be due to a special dispensation from on high for the purpose of heartening and strengthening Colorado's people in their heroic efforts to regain the smiles of Fortune. During the year 1896, the conditions prevailing in the State improved greatly, and confirmed the beliefs that Colorado was about to enter upon a new and permanent era of prosperity. While the yield of gold in that year was about the same as that of 1895, the revelations in fresh discoveries at Cripple Creek now had become even more sensational, and the camp had been converted into a thronged mining-city, notwithstanding that its business section had been destroyed by fires in the second of the spring months of the year. Cripple Creek's contributions to the gold-output of 1896 were much larger than those it had produced in 1895, but which were far exceeded in later times. The general revival of prosperity gained a fair headway in 1897. Land that was in a producing condition steadily advanced in value; but urban property still was depressed to an extent that seemed undue. Gold, to the amount of \$19,572,137, was taken from the mines; and Cripple Creek was the source of the larger part of the increase.

The remaining years of that decade were illuminated by uninterrupted progress in the various avenues of activity in the State. A great area of land was placed under cultivation, and preparations for irrigating other large areas were made, while tracts already producing attained greater value rapidly. Real-estate in towns and cities, and which, as I have said, had been slow in responding to the effects of the revival and restoration, now was advancing in market-worth that was near to accordance with the changed conditions. The gold-mines had contributed to the State's welfare by increasing their yield of the metal to a degree that was most gratifying. The value of their output in 1898 was \$23,512,819; and in 1899 it was \$26,265,487. For 1900 the figures were \$28,869,392. As in preceding years since the panic-time, Cripple Creek was the main factor in the process of raising these sums of gold-values to their remarkable dimensions.

The year 1899 was distinguished in the history of the State by the introduction of sugar-beet culture, which marked the beginning of a new era in agriculture in the State, and which has become a great and profitable industry.

But this was not the result of original action that sought to place Colorado among the sugar-producing divisions of the Federal Union. The subject had been considered rather thoroughly in 1871, in which year a conclusion to attempt at once to make a start in the cultivation of sugar-beets was reached; as the sugar-contents of such beets, that had been grown, experimentally, in various parts of the Territory, in that year, had been proved by analysis to be greater than those of beets harvested elsewhere in the United States. The advocates of the proposition decided to ask the Legislative Assembly of the Territory to aid, by a form of bounty, in introducing and establishing the industry in Colorado. Therefore, when the Ninth Assembly convened, in January, 1872, a bill for that purpose was submitted to the legislators.

The measure provided that the first person, or the first corporation or other organization, that should construct and equip upon Colorado soil an establishment, requiring a cash investment of not less than \$50,000, for extracting sugar from beets grown within the Territory, with a capacity for producing sugar at the rate of 2,000 pounds daily, and which actually should produce in a season not less than 200 barrels of good merchantable sugar, should receive from the Territorial Treasury a bounty in the sum of \$10,000 in cash. This financial aid was intended only to encourage and assist in erecting and equipping the factory, and in operating it during the first season. Before the bounty should be paid, the Governor of the Territory and two commissioners to be appointed by him were to determine, by thorough examination and investigation, before payment of the bounty, that there had been full compliance with all of the terms and conditions that were specified in the act.

Many of the members of the Assembly regarded the bill with much favor, and its enactment appeared to be one of the certainties of the session. But, and unfortunately, it was defeated by a majority that consisted of one vote. Most of those who opposed the measure had no faith in the projected undertaking, and could not be persuaded to believe that it was possible for sugar ever to become a profitable product of agriculture in Colorado. It is highly probable, if not certain, that if the bounty-bill had been given the form of law there would have been a large development of sugar-production in Colorado before the end of the Territorial period.

While the sponsors of the bill were cast down by the Assembly's adverse action upon it, they did not abandon hope that the sugar-beet still might be made one of the regular and remunerative crops of the Territory. Late in February, 1872, a public meeting was held in Denver to consider the question of organizing a company to initiate the project. Pursuant to the conclusions reached by that meeting, an

organization for that purpose was incorporated by James Archer, Joseph E. Bates, Hiram P. Bennet, H. G. Bond, Henry Crow, Martin E. Everett, E. F. Halleck, Peter Magnes, L. K. Perrin, Charles W. Perry, Fred Z. Salomon, J. F. L. Schirmer, George C. Schleier, Wellington G. Sprague, and Phillip Tronstine. Within a few weeks thereafter, subscriptions to the stock of this pioneer sugar company of Colorado, to the sum of \$30,550, were obtained. But efforts to increase such subscriptions to the amount necessary to enable the company to proceed actively in the undertaking resulted in failure, which was due in the main to the same sentiments of incredulity and faithlessness that had influenced a majority of the Legislative Assembly in their action upon the bounty-bill. Ten per cent. of the subscriptions had been paid to the company to form a fund to defray preliminary and subsequent incidental expenses; but further than this the corporation received no financial support, and the organization was permitted to disintegrate. Thereafter, aside from occasional discussion of the subject, sometimes orally and sometimes in print, the proposition to add the sugar-beet to Colorado's agriculture rested quietly for twenty-five years.

In 1897, the Chamber of Commerce, of Denver, after having resolved to be instrumental in an effort to introduce the culture of the sugar-beet into Colorado, appointed from its membership a committee, consisting of Earl B. Coe, Chairman; J. F. Callbreath, W. A. Hover, L. N. Stevens, and Charles F. Wilson, to investigate the subject thoroughly from the practical point of view, in co-operation with the State Agricultural College, at Fort Collins. Fresh experiments in growing the beet, which were caused to be made by these two organizations in that year and in the next, in several of Colorado's counties, not only confirmed the results that had been obtained in 1872, but demonstrated that the acreage-yield of the beets grown upon Colorado soil was not far from double of the usual crop in other parts of the United States. Moreover, practical tests as to the sugar-contents of the beets that had been grown in Colorado under the direction of the two organizations, made in a sugar-factory at Grand Island, Nebraska, again proved that the Colorado beets carried an uncommonly high per cent. of sugar.

These unquestionable consequences of the investigations and practical demonstrations were followed, in 1899, by the incorporation, by citizens of Denver and other communities in the State, of a company with adequate cash capital, to build, and equip in the best manner known, a sugar-factory, in a favorable district. The city of Grand Junction was chosen to be the place in which Colorado's first establishment of the kind was to be located; and in the spring of that year engagements were made with the farmers in the adjacent parts to grow beets in quantities sufficient to supply the factory for a season's operations. The building was finished and provided with an equipment of the best type late in the following autumn, and on November 22d, of that year, it went into successful operation, with a demand for its product greater than it could meet.

Between that year and the present time, the beet-sugar industry has had a remarkable development in Colorado, and has attained the position of a leading factor in the present prosperity of agriculture in our State. It yields very profitable returns to farmers who grow the beets; cultivation and harvesting of the crop affords employment to many people; and the owners of the factories receive fair incomes from their investments. Of the industry's extension and other results, particular account has been given by Mr. Walter H. Olin, in Chapter XXV, of this volume.

The Federal enumeration of the population of Colorado, that was made in the year 1900, strongly reflected the effects of the recovery from the consequences of the disaster of 1893, in so far as could be by figures proving that the number of the State's people largely had been increased during the decade of the '90s; and thereby it also dem-

onstrated the extraordinary recuperative powers which Colorado possessed. The State had had a heavy loss of population between the summer of 1893 and that of the year 1895; but the extent of the shrinkage could not be ascertained with any near approach to the facts. According to some estimates, it was not less than 50,000; others figured it at about 75,000; while still others made it as much as 100,000. It is likely that correctness lay somewhere between the first two of these calculations, with a probability that it was not far from the middle point. The census of 1890 had accorded to the State, as the reader may recall, a population of 413,249. The enumeration of 1900 found the population, at the time the count was made, to be 539,700, which proved that there had been an increase of 30.6 per cent. during the intervening ten years. In view of the violence and evil effects of the blow that the State had received in 1893, the regaining, within about five years, of the population in number equal to that of the loss which had occurred during the two years of destructive reaction, would have been, alone, a creditable achievement.

While most of the towns and cities in the State had fared well in the distribution of the increase, much of it was assigned to the rural districts. However, some of the citizens of Denver were not satisfied with their city's share of it, although it represented a net gain of 27,146, which raised the number of people in the metropolis to 133,859—the figures for 1890 having been 106,713. By various computations based upon shaky data, the dissatisfied element came to the conclusion that the increase should have been 25,000 or 30,000 more; and therefore they demanded, with great vigor, that a recount be made. But after further consideration and a more thorough analysis of their data, they decided to accept the original results without further protest, and to be content with the ratio of growth—25.44 per cent.—with which the Census Bureau had credited the city.

During the period since the advent of the twentieth century, Colorado's advancement in population, development and wealth has been continuous as well as highly gratifying, and without any spectacular features. It has been a substantial and well-balanced growth, in which the influences and practices of "booms" and "boomers" had no part; and therefore there was no speculative aspects and conditions in the onward movement. While, with a few exceptions in the mining districts, the towns and cities flourished and have been the scenes of great improvements, the more important of the developments are those which were made in the agricultural sections of the State, the proceeds in which have increased steadily in abounding quantities, year by year, and, in their economic and other effects, have become the State's mainstay. It is rather hard to realize that the greater part of the man-made causes of the present-time abundance of products of the soil that are harvested on the Western Slope of the State; in the Rio Grande Valley; in the Arkansas Valley; and in the valley of the South Platte River, have been brought into existence since the end of the nineteenth century. But not all of them are the work of the men who plant and cultivate and garner. The engineers of irrigation—the pioneers in the process of converting arid and almost barren land into bountiful farms and orchards—have been busy in devising and constructing grand systems of reservoirs and ditches, which have made fruitful many vast tracts of such lands, and which are described by Mr. Goudy, in Chapter XXVI of this volume.

The only shadow that fell upon the State in the course of the years that are under consideration at this juncture was that of a series of tragedies which were consequences of a prolonged conflict between union and non-union miners at Telluride, Cripple Creek, and other gold-mining districts in their sections of the State. The strife originated early in the summer of 1901, and was continued intermittently until its calamitous culmination, in the Cripple Creek field, in June,

1904. In the intervening time, several members of each division of the miners were killed, and also nearly a like number of superintendents and subordinate directors of mine-operations. Moreover, many other miners were more or less seriously wounded by assaults and in affrays.

While the industry of mining for the precious metals in Colorado had had, in previous times, some interruptions, accompanied by loss of life, none of them was so portentous as that of 1901-04; and generally, as well as comparatively, the industry had been characterized by peaceful conditions and cordial relations. The more momentous of the earlier strifes was the strike at Leadville in 1880; the trouble at Cripple Creek in 1894, in which a peace officer lost his life, and a number of other men were badly maltreated; and the strike at Leadville, that began in June, 1896, and continued until near the end of the following September, and during which several of the strikers were killed, while several others were wounded, when attacking mine-buildings. It was said that there were other deaths at that time which were due to the prevailing conditions of disorder in the Leadville district. In each of these deplorable clashes, the services of State Militia or National Guard were employed for the purpose of restoring and maintaining order; and as Leadville to enforce martial law, in which city some of the State troops were on duty for about five months. The Leadville strike of 1880 was for higher wages and an eight-hour day; the trouble at Cripple Creek in 1894 mainly was due to radical efforts and means to increase the membership and extend the influence of the local Union of miners; and that of Leadville in 1896 was for larger pay, and for the recognition of the Miners' Union by the owners and operators of mines in the district.

The principal cause of the turmoil at Telluride, Cripple Creek and in other places adjacent to them, in 1901-04, practically was the same as that which had prevailed at Cripple Creek in 1894. But, as the strife in the later period went on and on, the insistence and belligerency of one of the parties to the controversy and the protestations and resistance of the other engendered intense personal animosities, which were further heightened by violent acts that were charged against the former.

The culmination of the violence came, as I have remarked above, early in June, 1894, at Independence, a municipality in the Cripple Creek field. At about 2 o'clock in the morning of the 6th day of that month a quantity of a high explosive was detonated under the platform of the railway station at that town, and where there was assembled a large number of non-union men. The explosion, the perpetrators of which never were identified, caused the death of eleven of these men, and the wounding of six others, three of whom were shockingly maimed for life. Later in that day, two non-union men were killed and some others were wounded in Victor—another municipality in the Cripple Creek field—by rifle shots that were said to have been fired from the headquarters of the Miners' Union in a building near by.

These crimsoned events were followed immediately by a demand to the Governor of the State, James H. Peabody, that he intervene, and with a military force, take full charge of affairs in the Cripple Creek field. Therefore, several companies of the State's National Guard at once were sent into the scenes of lawlessness and bloodshed, and which then were placed under what was a modified, and yet elastic, form of martial law, which was kept in force until toward the end of that summer. A peculiar feature in the execution of that form of martial law, at that time, was the deportation from the field of trouble of more than 150 men who were accused of being "dangerous characters," and of having taken active part in fomenting lawlessness. These were loaded into railway cars and hauled away, some to the border-line of Kansas and others to that of New Mexico, at which points they were

unloaded and ordered to move therefrom afoot, and not to re-enter into Colorado. It would seem that if these were dangerous men this disposition of them was a gross imposition upon Kansas and New Mexico. The men should have been retained in Colorado; and, if guilty of the accusations against them they should have been punished, and if innocent they should have been released forthwith.

Since that period the mining industry in Colorado has been prosecuted under peaceful conditions. It has had no disorders, no wanton tragedies; and if the records of those which have afflicted it in the past could be expunged from the history of the State, most certainly would that be done by unanimous consent.

In the year 1904, the people of the city of Denver formed and put into effect a municipal government that is a wide departure from the usual and time-honored system of administering the general affairs of urban municipalities.

The change was authorized by an amendment to the Constitution of the State, and which had been directed to be submitted to a vote of the electors of Colorado by an act of the General Assembly, approved on March 18, 1901. The proposed amendment was sanctioned by the voters at the general election that was held on November 4, 1902, and thus was made Article XX of the State's fundamental law, under the title of "City and County of Denver." The leading purpose of the amendment was expressed in the first section of the Article, which reads as follows:

"The municipal corporation known as the City of Denver, and all municipal corporations and that part of the quasi-municipal corporations known as the County of Arapahoe, in the State of Colorado, included within the exterior boundaries of the said city of Denver as the same shall be bounded when this amendment takes effect, are hereby consolidated and are hereby declared to be a single body politic and corporate, by the name of the 'City and County of Denver'."

The remainder of the document—which is a long one—specified in detail the manner in which the purpose of the first section should be put into effective operation, and also provided for the creation of a convention to frame a charter for the government of the new municipality in accordance with the Constitutional Amendment, but subject to a vote of the electors of the combined city and county.

At a special election, held on June 2, 1903, delegates were chosen to form a convention to construct a charter for the proposed dual organization. That body completed its labors on the first day of the following August; and the results of its work were submitted to the voters, at a special election, held on the 15th of the ensuing September, when it was rejected by rather a heavy majority. This nullified all of the summer's proceedings in relation to the matter, and required an entire repetition of them.

Therefore, at a special election, held on December 8, 1903, another complement of delegates was elected and charged with the duty of producing, within sixty days thereafter, a charter devoid of certain features which had caused the first one to be defeated. In all of this the convention was successful, and its work was ratified, at special election, held on March 29, 1904, by a large majority. At another special election, held on May 17th, following, and after a lively campaign, officers required for the new form of municipal government were elected, with Robert W. Speer as chief executive, with the title of Mayor. These officials entered upon their duties on June 1st, of that year, and put the administrative machinery into motion. But in the meantime there had been several appeals to and decisions by the courts on the subject of the constitutional and statutory regularity of the proceedings and results.

The change added to the city of Denver the outlying towns of Montclair, Elyria, Globeville, Argo, Berkeley, and Valverde, which

previously had been separate corporations, although practically parts of the city. Their annexation added considerably to Denver's population as defined by law.

The Constitutional Amendment had terminated abruptly the city government that was in operation when the amendment became effective. But the latter provided for the formation of a provisional government, which managed the city's affairs from that time until the new organization was inaugurated.

This unique form of municipal government made Denver both a city and a county, by merging and blending of authority and powers which in every other part of the United States are divided between the two separate and distinct divisions of local government—as they were in Denver and Arapahoe County before the innovation was introduced. The present combination has no County Commissioners—the Council (as of the ordinary city) having the powers and jurisdiction that formerly were lodged in such officers. The offices of Sheriff and Chief of Police are consolidated; likewise are those of County Treasurer and City Treasurer, of County Clerk and City Clerk, and of County Surveyor and City Engineer. Such consolidation of official positions and duties also extends to various minor divisions of the former two independent organizations. According to the mandatory language of the third section of the amendment, the members of the great body of the municipality's employees must be appointed upon merit instead of in reward for political activity, and must not be dismissed except for specific and proper cause.

So far as it has proceeded in its career, this government appears to be working satisfactorily; and its friends and supporters are confident that it will continue to do so indefinitely.

In the winter of 1904-05, there was developed in Colorado a political episode which resulted soon afterward in placing our State in a situation that was unprecedented in the United States—that of having successively within twenty-four hours three lawful Governors.

At the State election, in November, 1904, Alva Adams, of Pueblo, and James H. Peabody, of Canon City, (and who sought another term), respectively were the candidates of the Democratic and Republican parties for the office of Governor of the State. After the unofficial reports of the results of that election were made known, and which accorded to Mr. Adams a plurality of about 10,000 votes, the managers of the other party repeatedly charged that the plurality was a consequence of fraudulent voting—mainly in the city of Denver. However, the canvass of the election returns by the new General Assembly, immediately after the beginning of its session, showed a plurality of 9,774 votes for Mr. Adams. Therefore, he was duly inaugurated as Governor, on January 10, 1905.

On the second day afterward, Mr. Peabody filed with the Secretary of the State Senate a notice of his determination to contest the election of Mr. Adams; charging, with specifications, that the latter had not received a plurality of the legal votes that had been cast at the election in the preceding November, and that therefore he was usurping the office of Governor.

On January 17th, the General Assembly, in joint convention, appointed a committee consisting of twenty-seven members (eighteen Republicans and nine Democrats), and authorized it to hear the evidence in the contest, and to report its conclusions. Fourteen days were allowed to the contestor and a like number to the contestee for the introduction of evidence, and five additional days were granted to the contestor to produce evidence in rebuttal. During that period the parties to the case brought in a vast mass of testimony and other forms of evidence. The committee was engaged twelve days in considering the evidence and preparing its reports, which were laid before the General Assembly, in joint convention, on March 3rd.

Fourteen Republican members of the committee submitted a signed report which allotted to Peabody a majority of 2,280 votes; and which stated that this conclusion had been reached by rejecting the entire vote of 104 election precincts in Denver, and of twenty-eight precincts in other counties of the State, on the ground of fraud and conspiracy on the part of the Democrats.

The nine Democratic members of the committee presented a report in which they declared that Peabody had failed to prove his election; and therefore they recommended the dismissal of his contest.

William H. Griffith, Chairman of the Contest Committee, and three other Republican members of it, made a report in which they alleged that there was much fraud in forty-eight voting-precincts in Denver; but that the allegations of fraud in the fifty-six other precincts in that city, which Peabody had asked to have thrown out, had been disproved. In conclusion, this report recommended that the contest be dismissed.

Senator Morton Alexander, who was one of the signers of the majority report, also presented another, in which it was recommended that the election for Governor be declared null and void, and that the Lieutenant Governor (Jesse F. McDonald, a Republican,) be seated as Governor. Alexander subsequently amended his report by striking out the reference to the Lieutenant Governor, thus leaving it to provide merely for declaring the office of Governor to be vacant.

Having been requested for an opinion on this method of determining the contest, the Supreme Court of the State promptly pronounced it to be illegal.

The arguments of the attorneys for the contestants, addressed to the joint convention, then followed, and at great length; but final action by the convention was deferred from day to day while many and strenuous efforts were being made to unite the Republicans for Mr. Peabody. The convention consisted of ninety-seven members, and of these the Republicans had a majority of thirty-five on joint ballot. However, twenty-two of the Republican members were, according to common reports, firmly opposed to seating Peabody for the remainder of the biennial term.

Such was the situation in the afternoon of March 15th. But before the reassembling of the joint convention on the next day, the Republican members had agreed to a conclusive programme, which was to be carried out forthwith. This arrangement providing for ousting Mr. Adams by deciding the contest in Mr. Peabody's favor; for seating Peabody subject to the condition that he should, beforehand, give a pledge, in writing, to resign and surrender his office on the next day; and for the inauguration of Lieutenant Governor McDonald, as Peabody's successor, immediately after the latter's resignation.

Although the Republican majority on a joint ballot was thirty-five (the membership of the General Assembly having consisted of sixty-six Republicans and thirty-one Democrats), it had been found impossible to obtain for Peabody a sufficient number of votes to seat him as Governor for the remainder of the biennial term, which would end in January, 1907. The twenty-two hostile Republicans (to whom I have referred above) had refused to be bound by any action in caucus in relation to the contest, and also had entered into a compact to vote a majority of them were in favor of seating Lieutenant Governor McDonald in the Governor's chair, if legal methods could be found for doing so. These conditions forced the compromise programme that I have outlined above, and which nominally vindicated Peabody, and at the same time eliminated him as a further factor in the affair.

The programme was followed faithfully, on March 16th and 17th. On the 16th, the General Assembly, in joint convention, formally decided the contest in favor of Mr. Peabody, by a vote of 51 to 41. Ten Republicans voted with the Democrats for Mr. Adams. Immediately

after the action that had made him Governor, which occurred about 5 o'clock in the afternoon. Mr. Peabody was escorted into the presence of the joint assembly by a committee of its members appointed for that purpose, and was greeted with cheers. After the oath of office had been administered to him, by Chief Justice Gabbert, of the State Supreme Court, Governor Peabody thanked the members of the General Assembly for having "done their duty," and assured them that their action would meet with the approbation of their constituents. Furthermore, he said that the decision in his favor would do away once for all with "criminal elections," and that if this end were attained a great good would come to the State. But in the course of his address he gave not even a hint that he was pledged to resign the office of Governor on the following day.

Governor Peabody, accompanied by a party of friends, then proceeded to the quarters of the chief executive, from which Mr. Adams already had withdrawn. Here he remained about twenty minutes, receiving congratulations from many callers. But neither on that day nor on the next did he transact any business of importance.

At 4 o'clock in the afternoon of the following day, Governor Peabody's written resignation of the office of Governor was conveyed to the Secretary of State. It was alleged at that time that the resignation had been in the hands of a third person since the compromise agreement had been made. The Secretary of State immediately certified Mr. Peabody's resignation, and before 5 o'clock in that afternoon Lieutenant Governor McDonald was "sworn in" as Governor of Colorado by Chief Justice Gabbert. Without any further ceremony, Governor McDonald entered upon the discharge of his duties.

Some friends of Mr. Adams had urged him to hold his seat, by force, if necessary; but he gave no heed to such advice. Some friends of Mr. Peabody had insisted that he should not resign; but to these he replied that he did not care to hold the place, and that he was tired of the worrying circumstances of the affair.

Mr. McDonald reluctantly accepted the consequences of the contest. He had taken no part in the bitter political warfare that had been waged over the Governorship since the preceding November; and as presiding officer of the General Assembly in joint convention he had made several rulings against the movement which finally resulted in placing him in the Governor's seat.

At the time Governor Adams was unseated, he said:

"I am going back to my home and my business in Pueblo. I am President of a savings bank, and I have a hardware establishment, and so I have no fear about the bread and butter proposition. At this time I am by no means in a jocular frame of mind. I have been outraged, and I feel the resentment that is natural. However, if the people can endure it, I can. My friends, many of them in the opposite party, have stood by me staunchly. I shall never forget their devotion to the cause of right and simple justice. I was advised by some friends, whose loyalty was supreme, to hold the office by force, but I never for a moment had an idea of accepting such advice. I am for law and order in the real sense of the phrase, and self-sacrifice is a part of my duty in adherence to that principle. I simply submit to the outrage that could not peaceably be prevented."

In a letter by Governor Peabody to the Secretary of State, and which accompanied his written resignation when the latter was placed in the hands of that officer, he said that he contested the election for Governor "believing then, and fully convinced now" that he had received a plurality of the lawful votes that were cast for the office; that it was a matter of duty to the people of Colorado and to the Republican Party that the contest should be prosecuted; and that he considered the decision of the General Assembly in seating him to be a complete vindication of his course. Furthermore he said:

"To my surprise and regret, I discovered toward the latter stages of the contest that certain members of the legislature, elected as Republicans, entertained feelings of ill will and dislike toward me personally.

"I shall not attempt in this communication to vindicate myself against what I conceive to be a personal enmity, unwarranted by the facts, and ungenerous to a degree. Suffice it to say that I am now painfully conscious of its magnitude.

"I have always been, and will ever continue to be, a faithful adherent of Republican principles and doctrines, and I conceive it to be the duty of every true citizen to make personal sacrifices, if need be, for the welfare of the political organization to which he may belong.

"Inbued with these sentiments, I am constrained to the conclusion that the best interests of the Republican Party of this State will be subserved if I now retire to private life, hoping thereby that my present effacement as a political factor in Colorado will restore peace and harmony now so sorely needed in the Republican Party of this State."

The history of politics in Colorado deals with nothing that is comparable, in uniqueness, with this settlement of a contest for office.

Turning now to a brief consideration of other activities in the State we shall see that these are producing bountiful harvests, and of a kind that are different and better than some of those that are the fruits of politics. Prominent in this work is the great industry of agriculture, which, at the present time, is yielding crops, the valuation of which requires the use of large combinations of figures. According to the latest statistics, the annual products of the soil in our State have increased in magnitude to such an extent that their market values exceed the sum of \$75,000,000. They include a great variety of crops, which run as follows, relatively to their worth in money: hay, other forage, sugar-beets, "garden truck," spring wheat, potatoes, fruit, oats, corn, winter wheat, melons, barley, rye, and flax-seed. To these are to be added marketed milk, butter, eggs and poultry, the cash returns for which run up into surprising sums. All of these go directly from the land to the market, excepting sugar-beets. The value of merchantable sugar, together with that of the pulp of the beets (which is good food for livestock), above the price paid for the beets, adds another great sum to the annual worth of the results of agriculture. Yet, this industry still may be regarded as being in its youth, and its present development to be only a forecast of that which is to come in the near future. Furthermore, not all of its benefits can be measured by the dollar. Beyond estimate in terms of money are the wholesome and steady influences of country life.

Manufacturing, aside from that of which the products do not reach the general markets, but are consumed in the communities in which they are made, has attained proportions that place it ahead of agriculture in the value of its productions. Denver and Pueblo are the seats of nearly the whole of the manufacturing, proper, that is done in the State; and, relatively, as to population, the last-named city is in the lead. I shall not attempt here to enter upon the particulars, or to present tabulated statistics, of this industry. The greatest manufacturing establishment in the State, and which would be considered great anywhere else, is that of the Colorado Fuel and Iron Company, a maker of steel, at Pueblo. Its annual manufactures of steel products has exceeded two millions of tons.

The industry of coal-mining, which usually is conducted so quietly that it does not commonly receive direct attention, has kept pace, proportionately, with the increase of population and activities in the State. The annual output of coal now has advanced to 10,000,000 of tons, in round figures. But this work represents not much more than a scratching of the surface of Colorado's coal measures.

The livestock industry, which now, in all of its aspects, is radically different from that of the "cow-boy" period, still retains high impor-

tance, and the financial results of its annual operations are estimated to be about \$25,000,000.

While mining for the precious metals still is, and probably will continue to be throughout a long period, a profitable industry in Colorado, it has been, as the reader already has observed, displaced from its former position as the leader in the production of values, by the results of the agricultural industry, manufacturing, and by coal-mining.

However, the annual yield of the yellow metal since the year 1900, and of which the value has averaged about \$23,000,000, has retained to Colorado the distinction of being the foremost State of the Union in the production of gold. This work no longer is of a speculative character, but has become rather prosaic. The everyday operation of the gold-mines is but little different, practically, from the proceedings in mining coal. A number of tons of ore, carrying values that are known almost to exactness, are taken out day by day, and the metal is extracted from it by processes which have been highly refined in efficiency and economy. Sober reports of the yields month by month come forth as promptly as do those of railway companies in relation to the volume of their traffic. No bonanzas are encountered, nor are any nuggets or chunks of gold found embedded in the rock with which the miners deal.

The course of silver-mining has continued in a direction that has trended downward, and which has resulted in a steady reduction in the quantity of Colorado's output of the white metal. Since 1900, the market value of the annual yield in the State has been about \$7,500,000, much of which was taken from ore that also contained gold and zinc. The market value of silver has fluctuated in recent times from several points below to several above fifty cents per ounce, which is a price that precludes the working of a large majority of the old-time mines, many of which, containing enormous bodies of ore, would be reopened should the market worth of the metal advance to seventy-five or eighty cents per ounce.

The conclusions of the Federal Census, of 1910, were awaited by our people with deep interest; as there was abundant evidence in the towns and cities, as well as in the rural sections of the State, that a great advance has been made in population. The returns of that enumeration were not disappointing, but demonstrated that the number of people in the State, in April of that year, was 799,024—practically 800,000, and which was an increase of 259,324, or 48 per cent., since the year 1900, when the population was 539,700, and the percentage of increase was 30.6.

The additions had been divided very nearly equally between the towns and cities and the rural districts, the percentage of increase in the latter being 46. The larger cities in the State had had a very liberal ratio of growth, as indicated by the following statement, in which the figures for 1900 and for 1910, respectively, are compared: Denver, from 133,859 to 213,381; Pueblo, from 28,157 to 44,395; Colorado Springs, from 21,085 to 29,078; Trinidad, from 5,345 to 10,204; Boulder, from 6,150 to 9,539; Fort Collins, from 3,053 to 8,210; Greeley, from 3,023 to 8,179; and Grand Junction, from 3,503 to 7,754.

These cities, and also those of lesser size, had not only added to their populations, but had been made more attractive and substantial by numerous and various public and private improvements, which also had eliminated some conditions that were no longer necessary or desirable.

But the more striking, and also the more important of the revelations that were made by that census, was that of the increase of population in the counties of the State in which agriculture is the predominating resource. In this we have an object-lesson of the effects of the policy, born in the late years of the '90s, to encourage and establish a greater diversification of productive employments in the State, and especially those that would work a larger development of the agricultural in-

dustry. The percentages of the increase in population in the counties in which tilling the soil is the principal occupation and the leading source of income were as set forth in the following statement:

| | | | |
|------------------|-------|------------------|-------|
| Archuleta | 56.0 | Lincoln | 539.0 |
| Baca | 231.5 | Logan | 190.1 |
| Bent | 65.4 | Mesa | 139.5 |
| Boulder | 40.8 | Montezuma | 64.5 |
| Cheyenne | 635.9 | Montrose | 126.9 |
| Conejos | 28.3 | Morgan | 193.1 |
| Costilla | 18.7 | Otero | 75.3 |
| Delta | 149.5 | Phillips | 100.8 |
| Elbert | 71.9 | Prowers | 152.8 |
| Garfield | 73.8 | Rio Blanco | 30.0 |
| Grand | 151.3 | Rio Grande | 60.9 |
| Huerfano | 58.7 | Routt | 106.5 |
| Jefferson | 52.9 | Sedgwick | 215.2 |
| Kiowa | 313.6 | Washington | 383.6 |
| Kit Carson | 373.6 | Weld | 133.1 |
| La Plata | 54.1 | Yuma | 391.6 |
| Larimer | 107.7 | | |

The State still holds vast bodies of the lands with which it was endowed by the Federal Congress by the act to enable the people of Colorado Territory to form a State Government. While much of this acreage is of a character that precludes making any use of it better than that which it is serving now, there are immense tracts which could be made richly productive by irrigation. There is no reason for doubting that a large portion of these will have been watered and occupied, for farming purposes, before the end of the present decade; and also that ultimately a still greater area, if not all, of such lands will be added to the domain of agriculture. The achievements in that direction which were accomplished in the decade that was ended recently afford us the means of estimating the possibilities of further extensions of irrigation.

The work that was done for that purpose, and the results which it produced, during the last ten years, had a very wholesome effect upon the State at large. They fortified public confidence, and to a far extent were responsible for the flourishing conditions that characterized those years. A good measure of the stability of general affairs in the State in that period was supplied by the fact that the serious financial disturbance in the eastern part of the United States, in 1907, and which, in its acute stage, bid fair, as was revealed afterward, to precipitate wide-spread misfortune, caused nothing more than a ripple in Colorado.

The economic history of Colorado includes records of a series of "ups and downs," and "ups" again, the like of which has been experienced by but a few, if any, of the other States of the Union. The first of the depressions came in the spring of 1859, when all of the pioneers were hunting for gold, and none finding enough of it to equal the cost of his daily food. But in the summer of that year, after the discoveries of the metal in the mountain-valley of Clear Creek, the pendulum swung far the other way. This was followed by two years of prosperity, which, in turn, was cast down by the oncoming of the Civil War. In the period of that strife, Colorado's prospects were clouded darkly, but after its termination there was a resumption of activity, although it hardly could be said that the revival was accompanied by the features of a "boom." Yet it might have developed something of that kind had not the Union Pacific Railway Company announced that the route of its road across the mountains would not traverse Colorado. A partial remedy for that was provided, in June, 1870, by the completion of a railway from Cheyenne, Wyoming, into Denver, built by Denver men,

and which, in conjunction with the entrance of a railway from Kansas City into Denver two months later, strengthened confidence and inaugurated another era of upward progress. The panic of 1873, while it did not affect seriously the people at large, crippled the construction of additional railways in the Territory, checked or postponed many other undertakings, and by these and other effects produced "dull times." With admission into the Federal Union, Colorado entered into a period of great advancement, which was not interrupted until the year 1893. As we see and know, the upward and onward movement of the State since that panic-time has placed it in a position that is very far higher than it ever attained before.

Colorado passed its semicentennial and faced the future with prospects that are more promising than any that have beckoned it forward in the past, and its people have a multitude of reasons to believe that the further developments in the State which will come to pass within the number of years that is assigned to a generation of mankind will be far greater, relatively, than those which have been accomplished in any like lapse of time since the day of the "Pike's Peak Excitement." The State affords opportunities which, inevitably, will attract and retain in the near-coming years great additions to its population; and, in the process of multiplying and replenishing, those who are here will contribute a host to the increasing total. It is no indulgence in extravagant use of words to say that the victories which already have been won, that the achievements that already have been done, within the manhood-life of still living men, constitute but a fair preparation for entering into full possession and use of the opulent heritage which Nature bestowed upon our picturesque land of mountains and valleys and plains.

Finis.



